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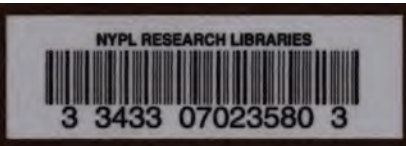
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THE

WORKS

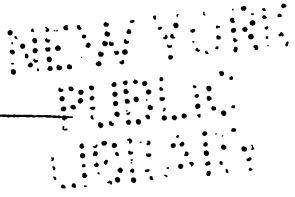
OF

JOHN LOCKE.

A NEW EDITION, CORRECTED.

IN TEN VOLUMES.

VOL. V.



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SOME

CONSIDERATIONS

OF THE

CONSEQUENCES

OF THE

LOWERING OF INTEREST,

AND

RAISING THE VALUE

OF

MONEY.

IN A LETTER SENT TO A MEMBER OF PARLIAMENT, 1691.

SOME

CONSIDERATIONS

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MONEY.

SIR,

THESE notions concerning coinage having, for the main, as you know, been put into writing above twelve months since; as those other, concerning interest, a great deal above so many years: I put them now again into your hands, with a liberty (since you will have it so) to communicate them farther, as you please. If, upon a review, you continue your favourable opinion of them, and nothing less than publishing will satisfy you, I must desire you to remember, that you must be answerable to the world for the style, which is such as a man writes carelessly to his friend, when he seeks truth, not ornament; and studies only to be in the right, and to be understood. I have, since you saw them last year, met with some new objections in print, which I have endeavoured to remove; and particularly I have taken into consideration a printed sheet, entitled, "Remarks upon a Paper given in to the Lords, &c." Because one

may naturally suppose, that he, that was so much a patron of that cause, would omit nothing that could be said in favour of it. To this I must here add, that I am just now told from Holland, "That the States, finding themselves abused, by coining a vast quantity of their base [schillings] money, made of their own ducatoons, and other finer silver, melted down, have put a stop to the minting of any but fine silver coin, till they should settle a mint upon a new foot."

I know the sincere love and concern you have for your country puts you constantly upon casting about, on all hands, for any means to serve it; and will not suffer you to overlook any thing you conceive may be of any the least use, though offered you from the meanest capacities: you could not else have put me upon looking out my old papers, concerning the reducing of interest to 4 per cent. which have so long lain by forgotten. Upon this new survey of them, I find not my thoughts now to differ from those I had near twenty years since: they have to me still the appearance of truth; nor should I otherwise venture them so much as to your sight. If my notions are wrong, my intention I am sure is right; and whatever I have failed in, I shall at least let you see with what obedience I am,

Sir,

Your most humble servant.

Nov. 7, 1691.

Sir,

I have so little concern in paying or receiving of "interest," that were I in no more danger to be misled by inability and ignorance, than I am to be biassed by interest and inclination, I might hope to give you a very perfect and clear account of the consequences of a law to reduce interest to 4 per cent. But, since you are pleased to ask my opinion, I shall endeavour fairly to state this matter of use, with the best of my skill.

The first thing to be considered is, "Whether the price of the hire of money can be regulated by law?"

And to that I think, generally speaking, one may say, it is manifest it cannot. For since it is impossible to make a law, that shall hinder a man from giving away his money or estate to whom he pleases, it will be impossible, by any contrivance of law, to hinder men, skilled in the power they have over their own goods, and the ways of conveying them to others, to purchase money to be lent them, at what rate soever their occasions shall make it necessary for them to have it; for it is to be remembered, that no man borrows money, or pays use, out of mere pleasure: it is the want of money drives men to that trouble and charge of borrowing; and proportionably to this want, so will every one have it, whatever price it cost him. Wherein the skilful, I say, will always so manage it, as to avoid the prohibition of your law, and keep out of its penalty, do what you can. What then will be the unavoidable consequences of such a law?

1. It will make the difficulty of borrowing and lending much greater, whereby trade (the foundation of riches) will be obstructed.

2. It will be a prejudice to none, but those who most need assistance and help; I mean widows and orphans, and others uninstructed in the arts and management of more skilful men, whose estates lying in money, they will be sure, especially orphans, to have no more profit of their money, than what interest the law barely allows.

3. It will mightily increase the advantage of bankers and scriveners, and other such expert brokers, who, skilled in the arts of putting out money, according to the true and natural value, which the present state of trade, money, and debts, shall always raise interest to, they will infallibly get what the true value of interest shall be above the legal; for men, finding the convenience of lodging their money in hands, where they can be sure of it, at short warning, the ignorant and lazy will be forwardest to put it into these men's hands, who are known willingly to receive it, and where they can readily have the whole, or part, upon any sudden occasion, that may call for it.

4. I fear I may reckon it as one of the probable consequences of such a law, that it is likely to cause great perjury in the nation; a crime, than which nothing is more carefully to be prevented by law-makers, not only by penalties, that shall attend apparent and proved perjury, but by avoiding and lessening, as much as may be, the temptations to it; for where those are strong, (as they are, where men shall swear for their own advantage) there the fear of penalties to follow will have little restraint, especially if the crime be hard to be proved: all which, I suppose, will happen in this case, where ways will be found out to receive money upon other pretences than for use, to evade the rule and rigour of the law: and there will be secret trusts and collusions amongst men, that though they may be suspected, can never be proved, without their own confession. I have heard very sober and observing persons complain of the danger men's lives and properties are in, by the frequency and fashionableness of perjury amongst us. Faith and truth, especially in all occasions of attesting it, upon the solemn appeal to heaven by an oath, is the great bond of society. This it becomes the wisdom of magistrates carefully to support, and render as sacred and awful, in the minds of the people, as they can. But, if ever frequency of oaths shall make them be looked on as formalities of law, or the custom of straining of truth, (which men's swearing in their own cases is apt to lead them to) has once dipped men in perjury, and the guilt, with the temptation, has spread itself very wide, and made it almost fashionable in some cases, it will be impossible for the society (these bonds being dissolved) to subsist. All must break in pieces, and run to confusion. That swearing in their own cases is apt by degrees to lead men into as little regard of such oaths, as they have of their ordinary talk, I think there is reason to suspect, from what has been observed, in something of that kind. Masters of ships are a sort of men generally industrious and sober, and I suppose may be thought, for their number and rank, to be equally honest to any other sort of men; and yet, by the discourse I have

had with merchants in other countries, I find that they think, in those parts, they take a great liberty in their custom-house oaths, to that degree, that I remember I was once told, in a trading town beyond sea, of a master of a vessel, there esteemed a sober and fair man, who yet could not hold saying, "God forbid that a custom-house oath should be a sin." I say not this to make any reflection upon a sort of men, that I think as uncorrupt as any other, and who, I am sure, ought in England to be cherished and esteemed, as the most industrious and most beneficial of any of its subjects: but I could not forbear to give this here, as an instance how dangerous a temptation it is to bring men customarily to swear, where they may have any concernment of their own. And it will always be worthy the care and consideration of law-makers to keep up the opinion of an oath high and sacred, as it ought to be, in the minds of the people: which can never be done, where frequency of oaths, biassed by interest, has established a neglect of them; and fashion (which it seldom fails to do) has given countenance to what profit rewards.

But that law cannot keep men from taking more use than you set (the want of money being that alone which regulates its price) will perhaps appear, if we consider how hard it is to set a price upon wine, or silks, or other unnecessary commodities: but how impossible it is to set a rate upon victuals, in a time of famine; for money being an universal commodity, and as necessary to trade as food is to life, every body must have it, at what rate they can get it; and unavoidably pay dear, when it is scarce; and debts, no less than trade, have made borrowing in fashion. The bankers are a clear instance of this: for some years since, the scarcity of money having made it in England worth really more than six per cent. most of those that had not the skill to let it for more than six per cent. and secure themselves from the penalty of the law, put it in the bankers' hands, where it was ready at their call, when they had an opportunity of greater improvement; so that the

rate you set, profits not the lenders; and very few of the borrowers, who are fain to pay the price for money, that commodity would bear, were it left free; and the gain is only to the banker: and should you lessen the use to four per cent., the merchant or tradesman that borrows would not have it one jot cheaper than he has now; but probably these two ill effects would follow: first, that he would pay dearer; and, secondly, that there would be less money left in the country to drive the trade: for the bankers, paying at most but four per cent. and receiving from six to ten per cent. or more, at that low rate could be content to have more money lie dead by them, than now, when it is higher: by which means there would be less money stirring in trade, and a greater scarcity, which would raise it upon the borrower by this monoply; and what a part of our treasure their skill and management, joined with others' laziness, or want of skill, is apt to draw into their hands, is to be known by those vast sums of money they were found to owe, at shutting up of the Exchequer: and though it be very true, yet it is almost beyond belief, that one private goldsmith of London should have credit, upon his single security, (being usually nothing but a note, under one of his servants' hands) for above eleven hundred thousand pounds at once. The same reasons, I suppose, will still keep on the same trade; and when you have taken it down by law to that rate, nobody will think of having more than four per cent. of the banker; though those who have need of money, to employ it in trade, will not then, any more than now, get it under five or six, or as some pay, seven or eight. And if they had then, when the law permitted men to make more profit of their money, so large a proportion of the cash of the nation in their hands, who can think but that, by this law, it should be more driven into Lombard-street now? there being many now, who lend them at four or five per cent. who would not lend to others at six. It would therefore, perhaps, bring down the rate of money to the borrower, and certainly distribute it better to the advan-

tage of trade in the country, if the legal use were kept pretty near to the natural; (by natural use, I mean that rate of money, which the present scarcity of it makes it naturally at, upon an equal distribution of it) for then men, being licensed by the law to take near the full natural use, will not be forward to carry it to London, to put it into the banker's hands; but will lend it to their neighbours in the country, where it is convenient for trade it should be. But, if you lessen the rate of use, the lender, whose interest it is to keep up the rate of money, will rather lend it to the banker, at the legal interest, than to the tradesman, or gentleman, who, when the law is broken, shall be sure to pay the full natural interest, or more; because of the engrossing by the banker, as well as the risque in transgressing the law: whereas, were the natural use, suppose seven per cent. and the legal six; first, the owner would not venture the penalty of the law, for the gaining one in seven, that being the utmost his money would yield: nor would the banker venture to borrow, where his gains would be but one per cent., nor the monied man lend him what he could make better profit of legally at home. All the danger lies in this; that your trade should suffer, if your being behind hand has made the natural use so high, that your tradesman cannot live upon his labour, but that your rich neighbours will so undersell you, that the return you make will not amount to pay the use, and afford a livelihood. There is no way to recover from this, but by a general frugality and industry; or by being masters of the trade of some commodity, which the world must have from you at your rate, because it cannot be otherwhere supplied.

Now, I think, the natural interest of money is raised two ways: first, When the money of a country is but little, in proportion to the debts of the inhabitants, one amongst another. For, suppose ten thousand pounds were sufficient to manage the trade of Bermudas, and that the ten first planters carried over twenty thousand pounds, which they lent to the several tradesmen and inhabitants of the country, who living above their gains, had spent ten thousand pounds of this money, and it

were gone out of the island; it is evident, that, should all the creditors at once call in their money, there would be a great scarcity of money, when that, employed in trade, must be taken out of the tradesmen's hands to pay debts; or else the debtors want money, and be exposed to their creditors, and so interest will be high. But this seldom happening, that all, or the greatest part, of the creditors do at once call for their money, unless it be in some great and general danger, is less and seldomer felt than the following, unless where the debts of the people are grown to a greater proportion; for that, constantly causing more borrowers than there can be lenders, will make money scarce, and consequently interest high. Secondly, That, which constantly raises the natural interest of money, is, when money is little, in proportion to the trade of a country. For in trade every body calls for money, according as he wants it, and this disproportion is always felt. For, if Englishmen owed in all but one million, and there were a million of money in England, the money would be well enough proportioned to the debts: but, if two millions were necessary to carry on the trade, there would be a million wanting, and the price of money would be raised, as it is of any other commodity in a market, where the merchandize will not serve half the customers, and there are two buyers for one seller.

It is in vain, therefore, to go about effectually to reduce the price of interest by a law; and you may as rationally hope to set a fixed rate upon the hire of houses, or ships, as of money. He that wants a vessel, rather than lose his market, will not stick to have it at the market-rate, and find ways to do it with security to the owner, though the rate were limited by law: and he that wants money, rather than lose his voyage, or his trade, will pay the natural interest for it; and submit to such ways of conveyance, as shall keep the lender out of the reach of the law. So that your act, at best, will serve only to increase the arts of lending, but not at all lessen the charge of the borrower: he, it is likely, shall, with more trouble, and going farther about, pay also the more for his money; unless you intend to break

in only upon mortgages and contracts already made, and (which is not to be supposed) by a law, *post factum*, void bargains lawfully made, and give to Richard what is Peter's due, for no other reason, but because one was borrower, and the other lender.

But, supposing the law reached the intention of the promoters of it; and that this act be so contrived, that it fixed the natural price of money, and hindered its being, by any body, lent at a higher use than four per cent., which is plain it cannot: let us, in the next place, see what will be the consequences of it.

1. It will be a loss to widows, orphans, and all those who have their estates in money, one-third of their estates; which will be a very hard case upon a great number of people: and it is warily to be considered, by the wisdom of the nation, whether they will thus, at one blow, fine and impoverish a great and innocent part of the people, who having their estates in money, have as much right to make as much of the money as it is worth, (for more they cannot) as the landlord has to let his land for as much as it will yield. To fine men one-third of their estates, without any crime, or offence committed, seems very hard.

2. As it will be a considerable loss and injury to the moneyed man, so it will be no advantage at all to the kingdom. For, so trade be not cramped, and exportation of our native commodities and manufactures not hindered, it will be no matter to the kingdom, who amongst ourselves gets or loses: only common charity teaches, that those should be most taken care of by the law, who are least capable of taking care for themselves.

3. It will be a gain to the borrowing merchant. For if he borrow at four per cent., and his returns be twelve per cent., he will have eight per cent., and the lender four; whereas now they divide the profit equally at six per cent. But this neither gets, nor loses, to the kingdom, in your trade, supposing the merchant and lender to be both Englishmen; only it will, as I have said, transfer a third part of the moneyed man's estate, who had nothing else to live on, into the merchant's pocket;

and that without any merit in the one, or transgression in the other. Private men's interests ought not thus to be neglected, nor sacrificed to any thing, but the manifest advantage of the public. But, in this case, it will be quite the contrary. This loss to the moneyed men will be a prejudice to trade: since it will discourage lending at such a disproportion of profit to risque; as we shall see more by and by, when we come to consider of what consequence it is to encourage lending, that so none of the money of the nation may lie dead, and thereby prejudice trade.

4. It will hinder trade. For, there being a certain proportion of money necessary for driving such a proportion of trade, so much money of this as lies still, lessens so much of the trade. Now it cannot be rationally expected, but that, where the venture is great and the gains small, (as it is in lending in England, upon low interest) many will choose rather to hoard up their money, than venture it abroad, on such terms. This will be a loss to the kingdom, and such a loss, as, here in England, ought chiefly to be looked after: for, we having no mines, nor any other way of getting, or keeping of riches amongst us, but by trade; so much of our trade as is lost, so much of our riches must necessarily go with it; and the over-balancing of trade, between us and our neighbours, must inevitably carry away our money, and quickly leave us poor and exposed. Gold and silver, though they serve for few, yet they command all the conveniencies of life, and therefore in a plenty of them consist riches.

Every one knows that mines alone furnish these: but withal it is observable, that most countries, stored with them by nature, are poor: the digging and refining of these metals taking up the labour, and wasting the number of the people. For which reason the wise policy of the Chinese will not suffer the mines they have to be wrought. Nor indeed, things rightly considered, do gold and silver, drawn out of the mine, equally enrich, with what is got by trade. He that would make the lighter scale preponderate to the opposite, will not so soon do it, by adding increase of new weight to the

emptier, as if he took out of the heavier what he adds to the lighter, for then half so much will do it. Riches do not consist in having more gold and silver, but in having more in proportion than the rest of the world, or than our neighbours, whereby we are enabled to procure to ourselves a greater plenty of the conveniencies of life, than comes within the reach of neighbouring kingdoms and states, who, sharing the gold and silver of the world in a less proportion, want the means of plenty and power, and so are poorer. Nor would they be one jot the richer, if, by the discovery of new mines, the quantity of gold and silver in the world becoming twice as much as it is, their shares of them should be doubled. By gold and silver in the world, I must be understood to mean, not what lies hid in the earth, but what is already out of the mine, in the hands and possessions of men. This, if well considered, would be no small encouragement to trade, which is a surer and shorter way to riches than any other, where it is managed with skill and industry.

In a country not furnished with mines, there are but two ways of growing rich, either conquest or commerce. By the first the Romans made themselves masters of the riches of the world; but I think that, in our present circumstances, nobody is vain enough to entertain a thought of our reaping the profits of the world with our swords, and making the spoil and tribute of vanquished nations the fund for the supply of the charges of the government, with an overplus for the wants, and equally craving luxury, and fashionable vanity of the people.

Commerce, therefore, is the only way left to us, either for riches, or subsistence: for this the advantages of our situation as well as the industry and inclination of our people, bold and skilful at sea, do naturally fit us: by this the nation of England has been hitherto supported, and trade left almost to itself, and assisted only by the natural advantages above-mentioned, brought us in plenty of riches, and always set this kingdom in a rank equal, if not superior to any of its neighbours; and would no doubt, without any difficulty, have continued

it so, if the more enlarged and better understood interest of trade, since the improvement of navigation, had not raised us many rivals; and the amazing politics of some late reigns let in other competitors with us for the sea, who will be sure to seize to themselves whatever parts of trade our mismanagement, or want of money, shall let slip out of our hands: and when it is once lost, it will be too late to hope, by a mistimed care, easily to retrieve it again. For the currents of trade, like those of waters, make themselves channels, out of which they are afterwards as hard to be diverted, as rivers that have worn themselves deep within their banks.

Trade, then, is necessary to the producing of riches, and money necessary to the carrying on of trade. This is principally to be looked after, and taken care of. For if this be neglected, we shall in vain by contrivances amongst ourselves, and shuffling the little money we have, from one another's hands, endeavour to prevent our wants: decay of trade will quickly waste all the remainder; and then the landed-man, who thinks, perhaps, by the fall of interest to raise the value of his land, will find himself cruelly mistaken; when the money being gone, (as it will be, if our trade be not kept up) he can get neither farmer to rent, nor purchaser to buy his land. Whatsoever, therefore, hinders the lending of money, injures trade: and so the reducing of money to four per cent. which will discourage men from lending, will be a loss to the kingdom, in stopping so much of the current money, which turns the wheels of trade. But all this upon a supposition, that the lender and borrower are both Englishmen.

If the lender be a foreigner, by lessening interest from six to four, you get to the kingdom one-third part of the interest we pay yearly to foreigners, which let any one, if he please, think considerable; but then, upon lessening interest to four per cent. it is likely one of these things will happen: that either you fall the price of your native commodities, or lessen your trade, or else prevent not the high use, as you intended; for at the time of lessening your interest, you want money for your trade, or you do not. If you do not, there is no

need to prevent borrowing at a high rate of your neighbours. For no country borrows of its neighbours, but where there is need of money for trade: nobody will borrow money of a foreigner to let it lie still. And, if you do want money, necessity will still make you borrow where you can, and at the rates your necessity, not your laws, shall set: or else, if there be a scarcity of money, it must hinder the merchant's buying and exportation, and the artisan's manufacture. Now the kingdom gets or loses by this (for no question the merchant, by low interest, gets all the while) only proportionably (allowing the consumption of foreign commodities to be still the same) as the paying of use to foreigners carries away more, or less, of our money, than want of money, and stopping our trade keeps us from bringing in, by hindering our gains, which can be only estimated by those who know how much money we borrow of foreigners, and at what rate; and too, what profit in trade we make of that money.

Borrowing of foreigners upon interest, it is true, carries away some of our gain: but yet, upon examination it will be found, that our growing rich or poor depends not at all upon our borrowing upon interest, or not; but only, which is greater or less, our importation or exportation of consumable commodities. For, supposing two millions of money will drive the trade of England, and that we have money enough of our own to do it; if we consume of our own product and manufacture, and what we purchase by it of foreign commodities, one million, but of the other million consume nothing, but make a return of ten per cent. per annum, we must then every year be one hundred thousand pounds richer, and our stock be so much increased: but, if we import more consumable commodities than we export, our money must go out to pay for them, and we grow poorer. Suppose, therefore, ill husbandry hath brought us to one million stock, and we borrow the other million (as we must, or lose half our trade) at six per cent. If we consume one moiety, and make still ten per cent. per ann. return of the other million, the kingdom gets

forty thousand pounds per ann. though it pay sixty thousand pounds per ann. use. So that, if the merchant's return be more than his use, (which it is certain it is, or else he will not trade), and all that is so traded for, on borrowed money, be but the over-balance of our exportation to our importation; the kingdom gets, by this borrowing, so much as the merchant's gain is above his use. But, if we borrow only for our own expenses, we grow doubly poor, by paying money for the commodity we consume, and use for that money; though the merchant gets all this while, by making returns greater than his use. And therefore, borrowing of foreigners, in itself, makes not the kingdom rich or poor; for it may do either: but spending more than our fruits, or manufactures, will pay for, brings in poverty, and poverty borrowing.

For money, as necessary to trade, may be doubly considered. First, as in his hands that pays the labourer and landholder, (for here its motion terminates, and through whose hands soever it passes between these, he is but a broker) and if this man want money, (as for example, the clothier) the manufacture is not made; and so the trade stops, and is lost. Or, secondly, money may be considered as in the hands of the consumer, under which name I here reckon the merchant who buys the commodity, when made, to export: and, if he want money, the value of the commodity, when made, is lessened, and so the kingdom loses in the price. If, therefore, use be lessened, and you cannot tie foreigners to your terms, then the ill effects fall only upon your landholders and artisans: if foreigners can be forced, by your law, to lend you money, only at your own rate, or not lend at all, is it not more likely they will rather take it home, and think it safer in their own country at four per cent. than abroad, in a decaying country? Nor can their overplus of money bring them to lend to you, on your terms: for, when your merchants, want of money shall have sunk the price of your market, a Dutchman will find it more gain to buy your commodity himself, than lend his money at four per cent. to an

English merchant to trade with. Nor will the act of navigation hinder their coming, by making them come empty, since even already there are those who think that many who go for English merchants are but Dutch factors, and trade for others in their own names. The kingdom, therefore, will lose by this lowering of interest, if it makes foreigners withdraw any of their money, as well as if it hinders any of your people from lending theirs, where trade has need of it.

In a treatise, writ on purpose for the bringing down of interest, I find this argument of foreigners calling away their money to the prejudice of our trade, thus answered: "That the money of foreigners is not brought into the land by ready coin, or bullion, but by goods, or bills of exchange, and, when it is paid, must be returned by goods, or bills of exchange; and there will not be the less money in the land." I could not but wonder to see a man, who undertook to write of money and interest, talk so directly besides the matter, in the business of trade. "Foreigners' money," he says, "is not brought into the land by ready coin, or bullion, but by goods, or bills of exchange." How then do we come by bullion or money? For gold grows not, that I know, in our country, and silver so little, that one hundred thousandth part of the silver we have now in England was not drawn out of any mines in this island. If he means that the monied man in Holland, who puts out his money at interest here, did not send it over in bullion, or specie hither: that may be true or false; but either way helps not that author's purpose. For, if he paid his money to a merchant, his neighbour, and took his bills for it here in England, he did the same thing as if he had sent over that money; since he does but make that merchant leave in England the money, which he has due to him there, and otherwise would carry away. "No," says our author, "he cannot carry it away; for," says he, "when it is paid, it must be returned by goods, or bills of exchange." It must not be paid and exported in ready money; so says our law indeed, but that is a law to hedge in the cuckoo, and serves to no purpose; for, if we export

not goods for which our merchants have money due to them in Holland, how can it be paid by bills of exchange? And for goods, one hundred pounds worth of goods can nowhere pay two hundred pounds in money. This being that which I find many men deceive themselves with in trade, it may be worth while to make it a little plainer.

Let us suppose England peopled, as it is now; and its woollen manufacture in the same state and perfection that it is at present; and that we, having no money at all, trade with this our woollen manufacture, for the value of two hundred thousand pounds yearly to Spain, where there actually is a million in money: farther, let us suppose that we bring back from Spain yearly in oil, wine, and fruit, to the value of one hundred thousand pounds, and continue to do this ten years together: it is plain that we have had for our two millions value in woollen manufacture, carried thither, one million returned in wine, oil, and fruit: but what is become of the other million? Will the merchants be content to lose it? That you may be sure they would not, nor have traded on, if they had not, every year, returns made, answering their exportation. How then were the returns made? In money, it is evident; for the Spaniards having, in such a trade, no debts, nor the possibility of any debts in England, cannot pay one farthing of that other million by bills of exchange: and having no commodities, that we will take off, above the value of one hundred thousand pounds per ann. they cannot pay us in commodities. From whence it necessarily follows, that the hundred thousand pounds per. ann wherein we overbalance them in trade, must be paid us in money; and so, at the ten years' end, their million of money, (though their law make it death to export it) will be all brought into England; as, in truth, by this overbalance of trade, the greatest part of our money hath been brought into England out of Spain.

Let us suppose ourselves now possessed of this million of money, and exporting yearly out of England, to the several parts of the world, consumable commodities, to the value of a million, but importing yearly

in commodities, which we consume amongst us, to the value of eleven hundred thousand pounds. If such a trade as this be managed amongst us, and continue ten years, it is evident that our million of money will, at the end of the ten years, be inevitably all gone from us to them, by the same way that it came to us; that is, by their overbalance of trade: for we, importing every year one hundred thousand pounds worth of commodities more than we export, and there being no foreigners that will give us one hundred thousand pounds every year for nothing, it is unavoidable that one hundred thousand pounds of our money must go out every year, to pay for that overplus, which our commodities do not pay for. It is ridiculous to say, that bills of exchange shall pay our debts abroad: that cannot be, till scrips of paper can be made current coin. The English merchant who has no money owing him abroad, cannot expect to have his bills paid there; or, if he has credit enough with a correspondent to have his bills answered, this pays none of the debt of England, but only changes the creditor; and if, upon the general balance of trade, English merchants owe to foreigners one hundred thousand pounds, or a million; if commodities do not, our money must go out to pay it, or else our credit be lost, and our trade stop, and be lost too.

A kingdom grows rich or poor just as a farmer doth, and no otherwise. Let us suppose the whole isle of Portland one farm: and that the owner, besides what serves his family, carries to market to Weymouth and Dorchester, &c. cattle, corn, butter, cheese, wool or cloth, lead and tin, all commodities, produced and wrought within his farm of Portland, to the value of a thousand pounds yearly; and for this brings home in salt, wine, oil, spice, linen, and silks, to the value of nine hundred pounds, and the remaining hundred pounds in money. It is evident he grows every year a hundred pounds richer, and so at the end of ten years will have clearly got a thousand pounds. If the owner be a better husband, and, contenting himself with his native commodities, buy less wine, spice, and silk, at

market, and so bring home five hundred pounds in money yearly; instead of a thousand pounds, at the end of ten years he will have five thousand pounds by him, and be so much richer. He dies, and his son succeeds, a fashionable young gentleman, that cannot dine without champagne and burgundy, nor sleep but in a damask bed; whose wife must spread a long train of brocade, and his children be always in the newest French cut and stuff; he, being come to the estate, keeps on a very busy family; the markets are weekly frequented, and the commodities of his farm carried out, and sold as formerly, but the returns are made something different; the fashionable way of eating, drinking, furniture, and clothing, for himself and family, requires more sugar and spice, wine and fruit, silk and ribbons, than in his father's time; so that, instead of nine hundred pounds per ann., he now brings home of consumable commodities to the value of eleven hundred pounds yearly. What comes of this? He lives in splendor, it is true; but this unavoidably carries away the money his father got, and he is every year a hundred pounds poorer. To his expenses, beyond his income, add debauchery, idleness, and quarrels amongst his servants, whereby his manufactures are disturbed, and his business neglected, and a general disorder and confusion through his whole family and farm. This will tumble him down the hill the faster, and the stock, which the industry, frugality, and good order of his father had laid up, will be quickly brought to an end, and he fast in prison. A farm and a kingdom in this respect differ no more, than as greater or less. We may trade, and be busy, and grow poor by it, unless we regulate our expenses; if to this we are idle, negligent, dishonest, malicious, and disturb the sober and industrious in their business, let it be upon what pretence it will, we shall ruin the faster.

So that, whatever this author, or any one else may say, money is brought into England by nothing but spending here less of foreign commodities than what we carry to market can pay for; nor can debts, we owe

to foreigners, be paid by bills of exchange, till our commodities exported, and sold beyond sea, have produced money, or debts, due there to some of our merchants; for nothing will pay debts but money, or money's worth, which three or four lines writ in paper cannot be. If such bills have an intrinsic value, and can serve instead of money, why do we not send them to market, instead of our cloth, lead, and tin, and at an easier rate purchase the commodities we want? All that a bill of exchange can do is to direct to whom money due, or taken up upon credit, in a foreign country, shall be paid; and if we trace it, we shall find, that what is owing already, became so for commodities, or money carried from hence: and, if it be taken upon credit, it must (let the debt be shifted from one creditor to another as often as you will) at last be paid by money, or goods, carried from hence, or else the merchant here must turn bankrupt.

We have seen how riches and money are got, kept, or lost, in any country; and that is, by consuming less of foreign commodities than what by commodities, or labour, is paid for. This is in the ordinary course of things: but where great armies and alliances are to be maintained abroad, by supplies sent out of any country, there often, by a shorter and more sensible way, the treasure is diminished. But this, since the holy war, or at least since the improvement of navigation and trade, seldom happening to England, whose princes have found the enlarging their power by sea, and the securing our navigation and trade, more the interest of this kingdom than wars, or conquests, on the continent: expenses in arms beyond sea have had little influence on our riches or poverty. The next thing to be considered is, how money is necessary to trade.

The necessity of a certain proportion of money to trade (I conceive) lies in this, that money, in its circulation, driving the several wheels of trade, whilst it keeps in that channel (for some of it will unavoidably be drained into standing pools) is all shared between the landholder, whose land affords the materials; the labourer, who works them; the broker, *i. e.* the mer-

chant and shopkeeper, who distributes them to those that want them; and the consumer who spends them. Now money is necessary to all these sorts of men, as serving both for counters and for pledges, and so carrying with it even reckoning, and security, that he that receives it shall have the same value for it again, of other things that he wants, whenever he pleases. The one of these it does by its stamp and denomination; the other by its intrinsic value, which is its quantity.

For mankind, having consented to put an imaginary value upon gold and silver, by reason of their durableness, scarcity, and not being very liable to be counterfeited, have made them, by general consent, the common pledges, whereby men are assured, in exchange for them, to receive equally valuable things, to those they parted with, for any quantity of these metals; by which means it comes to pass, that the intrinsic value, regarded in these metals, made the common barter, is nothing but the quantity which men give or receive of them; for they having, as money, no other value, but as pledges to procure what one wants or desires, and they procuring what we want or desire only by their quantity, it is evident that the intrinsic value of silver and gold, used in commerce, is nothing but their quantity.

The necessity, therefore, of a proportion of money to trade, depends on money, not as counters, for the reckoning may be kept or transferred by writing, but on money as a pledge, which writing cannot supply the place of: since the bill, bond, or other note of debt, I receive from one man, will not be accepted as security by another, he not knowing that the bill or bond is true or legal, or that the man bound to me is honest or responsible, and so is not valuable enough to become a current pledge, nor can by public authority be well made so, as in the case of assigning of bills; because a law cannot give to bills that intrinsic value which the universal consent of mankind has annexed to silver and gold; and hence foreigners can never be brought to take your bills or writings for any part of payment, though perhaps they might pass as valuable considera-

tions among your own people, did not this very much hinder it, viz. that they are liable to unavoidable doubt, dispute, and counterfeiting, and require other proofs to assure us that they are true and good security than our eyes, or a touchstone. And, at best, this course, if practicable, will not hinder us from being poor; but may be suspected to help to make us so, by keeping us from feeling our poverty, which, in distress, will be sure to find us with greater disadvantage. Though it be certain it is better than letting any part of our trade fall for want of current pledges; and better too than borrowing money of our neighbours upon use, if this way of assigning bills can be made so easy, safe, and universal at home, as to hinder it.

To return to the business in hand, and show the necessity of a proportion of money to trade. Every man must have at least so much money, or so timely recruits, as may in hand, or in a short distance of time, satisfy his creditor who supplies him with the necessaries of life, or of his trade. For nobody has any longer these necessary supplies than he has money, or credit, which is nothing else but an assurance of money, in some short time. So that it is requisite to trade, that there should be so much money as to keep up the landholder's, labourer's, and broker's, credit: and therefore ready money must be constantly exchanged for wares and labour, or follow within a short time after.

This shows the necessity of some proportion of money to trade: but what proportion that is, is hard to determine; because it depends not barely on the quantity of money, but the quickness of its circulation. The very same shilling may, at one time, pay twenty men in twenty days: at another, rest in the same hands one hundred days together. This makes it impossible exactly to estimate the quantity of money needful in trade; but, to make some probable guess, we are to consider how much money it is necessary to suppose must rest constantly in each man's hands, as requisite to the carrying on of trade.

First, therefore, the labourers, living generally but

from hand to mouth; and, indeed, considered as labourers in order to trade, may well enough carry on their part, if they have but money enough to buy victuals, clothes, and tools: all which may very well be provided, without any great sum of money lying still in their hands. The labourers, therefore, being usually paid once a week, (if the times of payment be seldomer there must be more money for the carrying on this part of trade) we may suppose there is constantly amongst them, one with another, or those who are to pay them, always one week's wages in ready money; for it cannot be thought that all or most of the labourers pay away all their wages constantly, as soon as they receive it, and live upon trust till next pay-day. This the farmer and tradesman could not well bear, were it every labourer's case, and every one to be trusted: and, therefore, they must of necessity keep some money in their hands, to go to market for victuals, and to other tradesmen as poor as themselves, for tools; and lay up money too to buy clothes, or pay for those they bought upon credit; which money, thus necessarily resting in their hands, we cannot imagine to be, one with another, much less than a week's wages, that must be in their pockets, or ready in the farmer's hands; for he, who employs a labourer at a shilling per day, and pays him on Saturday nights, cannot be supposed constantly to receive that six shillings just the same Saturday: it must ordinarily be in his hands one time with another, if not a whole week, yet several days before.

This was the ordinary course, whilst we had money running in the several channels of commerce: but that now very much failing, and the farmer, not having money to pay the labourer, supplies him with corn, which, in this great plenty, the labourer will have at his own rate, or else not take it off his hands for wages. And as for the workmen, who are employed in our manufactures, especially the woollen one, these the clothier, not having ready money to pay, furnishes with the necessaries of life, and so trucks commodities for work;

which, such as they are, good or bad, the workman must take at his master's rate, or sit still and starve: whilst by this means this new sort of engrossers, or forestallers, having the feeding and supplying this numerous body of workmen out of their warehouses, (for they have now magazines of all sorts of wares) set the price upon the poor landholder. So that the markets, now being destroyed, and the farmer not finding vent there for his butter, cheese, bacon, and corn, &c. for which he was wont to bring home ready money, must sell it to these engrossers on their own terms of time and rate, and allow it to their own day-labourers under the true market price. What kind of influence this is like to have upon land, and how this way rents are like to be paid at quarter-day, is easy to apprehend: and it is no wonder to hear every day of farmers breaking and running away; for if they cannot receive money for their goods at market, it will be impossible for them to pay their landlord's rent. If any one doubt whether this be so, I desire him to inquire how many farmers in the west are broke, and gone, since Michaelmas last. Want of money, being to this degree, works both ways upon the landholder. For, first, the engrossing forestaller lets not the money come to market, but supplying the workman, who is employed by him in manufacture, with necessaries, imposes his price and forbearance on the farmer, who cannot sell to the others; and the labourer who is employed by the landholder in husbandry imposes also his rate on him, for the commodities he takes; for there being a want of day-labourers in the country, they must be humoured, or else they will neither work for you, nor take your commodities for their labour.

Secondly, as for the landholder, since his tenants cannot coin their rent just at quarter-day, but must gather it up by degrees, and lodge it with them till pay-day; or borrow it of those who have it lying by them, or do gather it up by degrees, which is the same thing, and must be necessarily so much money for some time lying still; for all that is paid in great sums must somewhere be gathered up by the retail incomes of a trade, or else lie still too in great sums, which is the same stop

of money, or a greater. Add to this, that to pay the creditor that lent him his rent, he must gather up money by degrees, as the sale of his commodities shall bring it in, and so makes a greater stop, and greater want of money: since the borrowed money, that paid the landholder the 25th of March, must be supposed to lie still some time in the creditor's hand, before he lent it the tenant; and the money that pays the creditor three months after, must lie still some time in the tenant's. Nor does the landlord pay away his rent usually as soon as he receives it, but by degrees, as his occasions call for it. All this considered, we cannot but suppose that between the landlord and tenant there must necessarily be at least a quarter of the yearly revenue of the land constantly in their hands. Indeed, considering that most part of the rents of England are paid at Lady-day and Michaelmas, and that the same money which pays me my rent from my tenant the 25th of March, or thereabouts, cannot pay my next neighbour his rent from his tenant at the same time, much less one more remote in another country, it might seem requisite to suppose half the yearly revenue of the land to be necessarily employed in paying of rent; for to say that some tenants break, and pay not their rent at all, and others pay not till two, three, four, five, six, &c. months after quarter-day, and so the rent is not all paid at one time, is no more than to say, that there is money wanting to the trade; for if the tenant fail the landlord, he must fail his creditor, and he his, and so on, till somebody break, and so trade decay for want of money. But since a considerable part of the land of England is in the owners' hands, who neither pay nor receive great sums for it at a certain day; because too, (which is the chief reason) we are not to consider here how much money is in any one man's, or any one sort of men's hands, at one time; for that at other times may be distributed into other hands, and serve other parts of trade; but how much money is necessary to be in each man's hands all the year round, taking one time with another, *i. e.* having three hundred pounds in his hand one month, is to be reckoned as one hundred pounds in his hand

three months, (and so proportionably) I think we may well suppose a quarter of the yearly revenue to be constantly in the landlord's or tenant's hands.

Here, by the by, we may observe, that it were better for trade, and consequently for every body, for more money would be stirring, and less would do the business) if rents were paid by shorter intervals than six months; for, supposing I let a farm at fifty-two pounds per ann. if my rent be paid half-yearly, there are twenty-six pounds to be employed in the payment of it in one entire sum, (if it be paid well, and if it be not paid well, for want of so much money to be spared to that purpose, there is so much want of money, and trade is still endamaged by it) a great part whereof must necessarily lie still, before it come out of my tenant's chest to my hands; if it be paid once a quarter, thirteen pounds alone would do it, and less money is laid up for it, and stopped a less while in its course: but should it be paid every week, one single twenty shillings will pay the rent of fifty-two pounds per ann. whence would follow this double benefit; first, that a great deal less money would serve for the trade of a country; and, secondly, that less of the money would lie still; the contrary whereof must needs happen, where growing debts are to be paid at larger distances, and in greater sums.

Thirdly, As for the brokers, since they too must lay up the money, coming in by retail, either to go to market, and buy wares, or to pay at the day appointed, which is often six months, for those wares which they have already; we cannot suppose them to have less by them, one with another, than one-twentieth part of their yearly returns. Whether the money be their own, or they be indebted so much, or more, it matters not, if it be necessary they should have constantly by them, comparing one time with another, at least one-twentieth part of their yearly return.

Indeed, in some great towns, where the bankers are ready at hand to buy bills, or any other way to lend money for a short time at great interest, there perhaps the merchant is not forced to keep so much money by

him as in other places, where they have not such a supply: but if you consider what money to do this must necessarily be constantly lodged in the banker's hands, the case will be much the same.

To these sums, if you add what part of the money of a country scholars of all sorts, women, gamesters, and great men's menial servants, and all such that do not contribute at all to trade, either as landholders, labourers, or brokers, will unavoidably have constantly in their hands; it cannot well be thought that less than one-fiftieth part of the labourer's wages, one-fourth part of the landholder's yearly revenue, and one-twentieth part of the broker's yearly returns in ready money, will be enough to drive the trade of any country. At least to put it beyond exception low enough, it cannot be imagined that less than one moiety of this, *i. e.* less than one-hundredth part of the labourer's yearly wages, one-eighth part of the landholder's yearly revenue, and one-fortieth part of the broker's yearly returns, in ready money, can be enough to move the several wheels of trade, and keep up commerce, in that life and thriving posture it should be; and how much the ready cash of any country is short of this proportion, so much must the trade be impaired and hindered for want of money.

But however these measures may be mistaken, this is evident, that the multiplying of brokers hinders the trade of any country, by making the circuit, which the money goes, larger; and in that circuit more stops, so that the returns must necessarily be slower and scantier, to the prejudice of trade: besides that, they eat up too great a share of the gains of trade: by that means starving the labourer, and impoverishing the landholder, whose interest is chiefly to be taken care of, it being a settled, unmoveable concernment in the commonwealth.

If this be so, it is past question that all encouragement should be given to artificers; and things so ordered, as much as might be, that those who make should also vend and retail out their own commodities, and they be hindered, as much as possible, from pass-

ing here at home through divers hands to the last buyer. Lazy and unworking shopkeepers in this being worse than gamesters, that they do not only keep so much of the money of a country constantly in their hands, but also make the public pay them for their keeping of it. Though gaming too, upon the account of trade (as well as other reasons) may well deserve to be restrained; since gamesters, in order to their play, keep great sums of money by them, which there lies dead; for though gamester's money shifts masters oftener than any, and is tumbled up and down with every cast of the die, yet as to the public it lies perfectly still, and no more of it comes into trade than they spend in eating or wearing.

Here too we may observe, how much manufacture deserves to be encouraged; since that part of trade, though the most considerable, is driven with the least money, especially if the workmanship be more worth than the materials; for to the trade that is driven by labour and handicraftsmen, one two-and-fiftieth part of the yearly money paid them will be sufficient: but to a trade of our commodities, of our bare, native growth, much greater proportion of money is required.

Perhaps it will be wondered why, having given some estimate (how wide I know not) of the money, necessary in the hands of the landholder, labourer, and broker, to carry on trade, I have said nothing of the consumer, whom I had mentioned before. To this I answer, there are so few consumers, who are not either labourers, brokers, or landholders, that they make a very inconsiderable part in the account; for those who immediately depend on the landholder, as his children and servants, come in under that title, being maintained by the rent of his lands; and so of the rest.

By what has been said, we may see what injury the lowering of interest is like to do us, by hindering trade, when it shall either make the foreigner call home his money, or your own people backward to lend, the reward not being judged proportionable to the risque.

There is another seeming consequence of the reducing of money to a low price, which at first sight has such an appearance of truth in it, that I have known it to impose upon very able men, and I guess it has no small influence, at this time, in the promoting this alteration; and that is, that the lowering of interest will raise the value of all other things in proportion. For money being the counter-balance to all other things purchaseable by it, and lying, as it were, in the opposite scale of commerce, it looks like a natural consequence, that as much as you take off from the value of money, so much you add to the price of other things which are exchanged for it; the raising of the price of any thing being no more but the addition to its value in respect of money, or, which is all one, lessening the value of money. For example: should the value of gold be brought down to that of silver, one hundred guineas would purchase little more corn, wool, or land, than one hundred shillings; and so, the value of money being brought lower, say they, the price of other things will rise, and the falling of interest from six pounds to four pounds per cent. is taking away so much of the price of money, and so consequently the lessening its value.

The mistake of this plausible way of reasoning will be easily discovered, when we consider that the measure of the value of money, in proportion to any thing purchaseable by it, is the quantity of the ready money we have in comparison with the quantity of that thing, and its vent; or, which amounts to the same thing, the price of any commodity rises or falls, by the proportion of the number of buyers and sellers: this rule holds universally in all things that are to be bought and sold, bating now and then an extravagant fancy of some particular person, which never amounts to so considerable a part of trade, as to make any thing in the account worthy to be thought an exception to this rule.

The vent of any thing depends upon its necessity or usefulness; as convenience, or opinion, guided by fancy, or fashion, shall determine.

The vent of any commodity comes to be increased, or decreased, as a greater part of the running cash of the nation is designed to be laid out, by several people at the same time, rather in that than another; as we see in the change of fashions.

I shall begin first with the necessaries, or conveniencies of life, and the consumable commodities subservient thereunto; and show, that the value of money, in respect of those, depends only on the plenty or scarcity of money, in proportion to the plenty and scarcity of those things; and not on what interest shall, by necessity, law, or contract, be at that time laid on the borrowing of money; and then afterwards I shall show that the same holds in land.

There is nothing more confirmed, by daily experience, than that men give any portion of money, for whatsoever is absolutely necessary, rather than go without it. And in such things, the scarcity of them alone makes their prices. As for example: let us suppose half an ounce of silver, or half a crown now in England, is worth a bushel of wheat: but should there be next year a great scarcity of wheat in England, and a proportionable want of all other food, five ounces of silver would, perhaps, in exchange purchase but one bushel of wheat: so that money would be then nine-tenths less worth in respect of food, though at the same value it was before, in respect of other things, that kept their former proportion, in their quantity and consumption.

By the like proportions, of increase and decrease, does the value of things, more or less convenient, rise and fall, in respect of money; only with this difference, that things absolutely necessary for life must be had at any rate; but things convenient will be had only as they stand in preference with other conveniencies: and therefore in any one of these commodities, the value rises only as its quantity is less, and vent greater, which depends upon its being preferred to other things, in its consumption. For supposing that, at the same time that there is a great scarcity of wheat, and other grain, there were a considerable quantity of oats, men, no question, would give far more for wheat than oats, as

being the healthier, pleasanter, and more convenient food: but, since oats would serve to supply that absolute necessity of sustaining life, men would not rob themselves of all other conveniencies of life, by paying all their money for wheat, when oats, that are cheaper, though with some inconvenience, would supply that defect. It may then so happen at the same time, that half an ounce of silver, that the year before would buy one bushel of wheat, will this year buy but one tenth of a bushel; half an ounce of silver, that the year before would have bought three bushels of oats, will this year still buy one; and at the same time half an ounce of silver, that would the year before have bought fifteen pounds of lead, will still buy the same quantity. So that at the same time silver, in respect of wheat, is nine-tenths less worth than it was, in respect of oats two-thirds less worth, and in respect of lead as much worth as before.

The fall, therefore, or rise of interest, making immediately, by its change, neither more nor less land, money, or any sort of commodity in England, than there was before, alters not at all the value of money, in reference to commodities. Because the measure of that is only the quantity and vent, which are not immediately changed by the change of interest. So far as the change of interest conduces, in trade, to the bringing in, or carrying out money, or commodities, and so in time to the varying their proportions here in England, from what it was before; so far the change of interest, as all other things that promote or hinder trade, may alter the value of money, in reference to commodities. But that is not in this place to be considered.

This is perfectly the value of money, in respect of consumable commodities: but the better to understand it, in its full latitude, in respect both of consumable commodities, and land too, we must consider, first, That the value of land consists in this, that, by its constant production of saleable commodities, it brings in a certain yearly income. Secondly, The value of commodities consists in this, that, as portable and use-

ful things, they, by their exchange or consumption, supply the necessaries, or conveniencies of life. Thirdly, In money there is a double value, answering to both of these, first, as it is capable, by its interest, to yield us such a yearly income: and in this it has the nature of land, (the income of one being called rent, of the other use) only with this difference, that the land, in its soil being different, as some fertile, some barren, and the products of it very various, both in their sorts, goodness, and vent, is not capable of any fixed estimate by its quantity: but money being constantly the same, and by its interest giving the same sort of product through the whole country, is capable of having a fixed yearly rate set upon it by the magistrate; but land is not. But though, in the uniformity of its legal worth, one hundred pounds of lawful money being all through England equal in its current value to any other one hundred pounds of lawful money, (because by virtue of the law it will every where pass for as much ware, or debt, as any other hundred pounds) is capable to have its yearly hire valued better than land: yet in respect of the varying need and necessity of money, (which changes with the increase or decay of money, or trade, in a country) it is as little capable to have its yearly hire fixed by law as land itself. For were all the land in Rumney-marsh, acre for acre, equally good, that is, did constantly produce the same quantity of equally good hay, or grass, one as another, the rent of it, under that consideration, of every acre being of an equal worth, would be capable of being regulated by law; and one might as well enact, that no acre of land in Rumney-marsh shall be let for above forty shillings per annum, as that no hundred pounds shall be let for above four pounds per annum. But nobody can think it fit (since by reason of the equal value of that land it can) that therefore the rent of the land in Rumney-marsh should be regulated by law. For supposing all the land in Rumney-marsh, or in England, were all of so equal a worth, that any one acre, compared at the same time to any one other, were equally good, in respect of its product; yet the same acre,

compared with itself in different times, would not, in respect of rent, be of equal value. And therefore it would have been an unreasonable thing, if in the time of Henry VII. the rent of land in Rumney-marsh had been settled by a law, according to the judged value of it at that time, and the same law, limiting the rent perhaps to 5*s.* per acre, have continued still. The absurdity and impracticableness of this every one sees, at the first proposal, and readily concludes within himself, that things must be left to find their own price; and it is impossible, in this their constant mutability, for human foresight to set rules and bounds to their constantly varying proportion and use, which will always regulate their value.

They who consider things beyond their names will find that money, as well as all other commodities, is liable to the same changes and inequalities; nay, in this respect of the variety of its value, brought in by time, in the succession of affairs, the rate of money is less capable of being regulated by a law, in any country, than the rent of land. Because, to the quick changes that happen in trade, this too must be added, that money may be brought in or carried out of the kingdom, which land cannot; and so that be truly worth six or eight per cent. this year, which would yield but four the last.

2. Money has a value, as it is capable, by exchange, to procure us the necessaries or conveniencies of life, and in this it has the nature of a commodity; only with this difference, that it serves us commonly by its exchange, never almost by its consumption. But though the use men make of money be not in its consumption, yet it has not at all a more standing, settled value, in exchange with any other thing, than any other commodity has; but a more known one, and better fixed by name, number, and weight, to enable us to reckon what the proportion of scarcity and vent of one commodity is to another. For supposing, as before, that half an ounce of silver would last year exchange for one bushel of wheat, or for 15lb. weight of lead; if this year wheat be ten times scarcer, and lead in the same

quantity to its vent as it was, is it not evident, that half an ounce of silver will still exchange for 15lb. of lead, though it will exchange but for one-tenth of a bushel of wheat? and he that has use of lead will as soon take 15lb. weight of lead as half an ounce of silver, for one-tenth of a bushel of wheat, and no more. So that if you say, that money now is nine-tenths less worth than it was the former year, you must say so of lead too, and all other things, that keep the same proportion to money which they had before. The variation, indeed, is first and most taken notice of in money: because that is the universal measure by which people reckon, and used by every body in the valuing of all things. For calling that half an ounce of silver half a crown, they speak properly, and are readily understood, when they say, half a crown, or two shillings and sixpence, will now buy one-tenth of a bushel of wheat, but do not say, that 15lb. of lead will now buy one-tenth of a bushel of wheat, because it is not generally used to this sort of reckoning: nor do they say, lead is less worth than it was, though, in respect of wheat, lead be nine-tenths worse than it was, as well as silver; only by the tale of shillings we are better enabled to judge of it: because these are measures, whose ideas by constant use are settled in every Englishman's mind.

This, I suppose, is the true value of money, when it passes from one to another, in buying and selling; where it runs the same changes of higher, or lower, as any other commodity doth: for one equal quantity whereof you shall receive in exchange more or less of another commodity, at one time, than you do at another. For a farmer that carries a bushel of wheat to market, and a labourer that carries half a crown, shall find that the money of one, as well as corn of the other, shall at some times purchase him more or less leather, or salt, according as they are in greater plenty, and scarcity, one to another. So that in exchanging coined silver for any other commodity, (which is buying and selling) the same measure governs the proportion you receive, as if you exchanged lead, or wheat, or any other commodity. That which regulates the price,

When money is at { 10, 8, 6, 5, 4 } per cent. for { 10, 12½, 16⅔, 20, 25 } years' purchase.

But experience tells us, that neither in queen Elizabeth nor king James the First's reigns, when interest was at ten per cent. was land sold for ten; or when it was at eight per cent. for twelve and a half years' purchase, or any thing near the low rate that high use required (if it were true, that the rate of interest governed the price of land) any more than land now yields twenty-five years' purchase, because a great part of the monied men will now let their money, upon good security, at four per cent. Thus we see in fact how little this rule has held at home: and he that will look into Holland will find, that the purchase of land was raised there when their interest fell. This is certain, and past doubt, that the legal interest can never regulate the price of land, since it is plain, that the price of land has never changed with it, in the several changes have been made in the rate of interest by law: nor now that the rate of interest is by law the same through all England, is the price of land every where the same, it being in some parts constantly sold for four or five years' purchase more than in others. Whether you, or I, can tell the reason of this, it matters not to the question in hand: but it being really so, this is plain demonstration against those who pretend to advance and regulate the price of land by a law concerning the interest of money.

But yet I will give you some of my guesses, why the price of land is not regulated (as, at first sight, it seems it should be) by the interest of money. Why it is not regulated by the legal use is manifest, because the rate of money does not follow the standard of the law, but the price of the market: and men, not observing the legal and forced, but the natural and current interest of money, regulate their affairs by that. But why the rate of land does not follow the current interest of money, requires a farther consideration.

All things that are bought and sold raise and fall their price, in proportion as there are more buyers or sellers. Where there are a great many sellers to a few buyers, there, use what art you will, the thing to be sold will be cheap. On the other side, turn the tables, and raise up a great many buyers for a few sellers, and the same thing will immediately grow dear. This rule holds in land as well as all other commodities, and is the reason why in England, at the same time that land in some places is at seventeen or eighteen years' purchase, it is about others, where there are profitable manufactures, at two or three-and-twenty years' purchase; because there (men thriving and getting money, by their industry, and willing to leave their estates to their children in land, as the surest and most lasting provision, and not so liable to casualties as money in untrading or unskilful hands) are many buyers ready always to purchase, but few sellers. For, the land thereabout being already possessed by that sort of industrious and thriving men, they have neither need, nor will, to sell. In such places of manufacture, the riches of the one not arising from the squandering and waste of another, (as it doth in other places, where men live lazily upon the product of the land) the industry of the people, bringing in increase of wealth from remote parts, makes plenty of money there, without the impoverishing of their neighbours. And, when the thriving tradesman has got more than he can well employ in trade, his next thoughts are to look out for a purchase; but it must be a purchase in the neighbourhood, where the estate may be under his eye, and within convenient distance, that the care and pleasure of his farm may not take him off from the engagements of his calling, nor remove his children too far from him, or the trade he breeds them up in. This seems to be the reason, why in places wherein thriving manufactures have erected themselves, land has been observed to sell quicker, and for more years' purchase, than in other places, as about Halifax in the north, Taunton and Exeter in the west.

This is that then which makes land, as well as other things, dear: plenty of buyers, and but few sellers: and so, by the rule of contraries, plenty of sellers and few buyers makes land cheap.

He that will justly estimate the value of any thing, must consider its quantity in proportion to its vent, for this alone regulates the price. The value of any thing, compared with itself or with a standing measure, is greater, as its quantity is less in proportion to its vent: but, in comparing it, or exchanging it with any other thing, the quantity and vent of that thing too must be allowed for, in the computation of their value. But, because the desire of money is constantly almost every where the same, its vent varies very little, but as its greater scarcity enhances its price, and increases the scramble: there being nothing else that does easily supply the want of it: the lessening its quantity, therefore, always increases its price, and makes an equal portion of it exchange for a greater of any other thing. Thus it comes to pass, that there is no manner of settled proportion between the value of an ounce of silver and any other commodity: for, either varying its quantity in that country, or the commodity changing its quantity in proportion to its vent, their respective values change, *i. e.* less of one will barter for more of the other: though, in the ordinary way of speaking, it is only said, that the price of the commodity, not of the money, is changed. For example, half an ounce of silver in England will exchange sometimes for a whole bushel of wheat, sometimes for half, sometimes but a quarter, and this it does equally, whether by use it be apt to bring in to the owner six in the hundred of its own weight per annum, or nothing at all: it being only the change of the quantity of wheat to its vent, supposing we have still the same sum of money in the kingdom; or else the change of the quantity of our money in the kingdom, supposing the quantity of wheat, in respect to its vent, be the same too, that makes the change in the price of wheat. For if you alter the quantity, or vent, either side, you presently alter the price, but no other way in the world.

For it is not the being, adding, increasing, or diminishing of any good quality in any commodity, that makes its price greater, or less; but only as it makes its quantity, or vent, greater, or less, in proportion one to another. This will easily appear by two or three instances.

1. The being of any good and useful quantity in any thing neither increases its price, nor indeed makes it have any price at all, but only as it lessens its quantity, or increases its vent; each of these in proportion to one another. What more useful or necessary things are there to the being, or well-being of men, than air and water? and yet these have generally no price at all, nor yield any money: because their quantity is immensely greater than their vent, in most places of the world. But as soon as ever water (for air still offers itself every where, without restraint or inclosure, and therefore is nowhere of any price) comes any where to be reduced into any proportion to its consumption, it begins presently to have a price, and is sometimes sold dearer than wine. Hence it is, that the best and most useful things are commonly the cheapest; because, though their consumption be great, yet the bounty of providence has made their production large, and suitable to it.

2. Nor does the adding an excellency to any commodity raise its price, unless it increase its consumption. For, suppose there should be taught a way (which should be published to the knowledge of every one) to make a medicine of wheat alone, that should infallibly cure the stone: it is certain the discovery of this quality in that grain would give it an excellency very considerable: and yet this would not increase the price of it one farthing in twenty bushels, because its quantity, or vent, would not hereby, to any sensible degree, be altered.

3. Neither does the increasing of any good quality, in any sort of things, make it yield more. For though teasels be much better this year than any were last, they are not one jot dearer, unless they be fewer too, or the consumption of them greater.

4. Nor does the lessening the good qualities of any sort of commodity lessen its price; which is evident in

hops, that are usually dearest those years they are worst. But, if it happen to be a species of commodity whose defects may be supplied by some other, the making of it worse does lessen its price, because it hinders its vent. For, if rye should any year prove generally smutty, or grown, no question it would yield less money than otherwise, because the deficiency of that might be, in some measure, made up by wheat, and other grain. But if it be a sort of commodity whose use no other known thing can supply, it is not its being better, or worse, but its quantity, and vent, is that alone which regulates and determines its value.

To apply it now to money, as capable of different rates of interest. To money, considered in its proper use as a commodity passing in exchange from one to another, all that is done by interest, is but the adding to it by agreement, or public authority, a faculty, which naturally it has not, of increasing every year six per cent. Now if public authority sink use to four per cent. it is certain it diminishes this good quality in money one-third. But yet this making the money of England not one farthing more than it was, it alters not the measures, upon which all changeable commodities increase, or sink their price; and so makes not money exchange for less of any commodity than it would without this alteration of its interest. If lessening use to four per cent. should at all alter the quantity of money, and make it less, it would make money, as it has the nature of a commodity, dearer, *i. e.* a less quantity of money would exchange for a greater quantity of another commodity, than it would before. This perhaps will appear a little plainer by these following particulars:

1. That the intrinsic, natural worth of any thing, consists in its fitness to supply the necessities, or serve the conveniencies of human life; and the more necessary it is to our being, or the more it contributes to our well-being, the greater is its worth. But yet,

2. That there is no such intrinsic, natural, settled value in any thing, as to make any assigned quantity of it constantly worth any assigned quantity of another.

3. The marketable value of any assigned quantities of two, or more commodities, are (*pro hic et nunc*) equal, when they will exchange one for another. As, supposing one bushel of wheat, two bushels of barley, thirty pounds of lead, and one ounce of silver, will now in the market be taken one for another, they are then of equal worth: and, our coin being that which Englishmen reckon by, an Englishman would say, that now one bushel of wheat, two bushels of barley, thirty pounds of lead, and one ounce of silver, were equally worth five shillings.

4. The change of this marketable value of any commodity, in respect of another commodity, or in respect of a standing, common measure, is not the altering of any intrinsic value, or quality, in the commodity; (for musty and smutty corn will sell dearer at one time than the clean and sweet at another) but the alteration of some proportion which that commodity bears to something else.

5. This proportion in all commodities, whereof money is one, is the proportion of their quantity to the vent. The vent is nothing else but the passing of commodities from one owner to another in exchange; and is then called quicker, when a greater quantity of any species of commodity is taken off from the owners of it, in an equal space of time.

6. This vent is regulated, *i. e.* made quicker or slower, as greater or less quantities of any saleable commodity are removed out of the way and course of trade; separated from public commerce; and no longer lie within the reach of exchange. For, though any commodity should shift hands ever so fast, and be exchanged from one man to another; yet, if they were not thereby exempted from trade and sale, and did not cease to be any longer traffic, this would not at all make or quicken their vent. But this, seldom or never happening, makes very little or no alteration.

7. Things are removed out of the market, or hands of commerce, and so their vent altered three ways; 1. By consumption, when the commodity in its use is destroyed, as, meat, drink, and clothes, &c. all that

is so consumed is quite gone out of the trade of the world. 2. By exportation; and all that is so carried away is gone out of the trade of England, and concerns Englishmen no more in the price of their commodities among themselves for their own use, than if it were out of the world. 3. By buying and laying up for a man's private use. For what is by any of these ways shut out of the market, and no longer moveable by the hand of commerce, makes no longer any part of merchantable ware, and so, in respect of trade, and the quantity of any commodity, is not more considerable than if it were not in being. All these three terminating at last in consumption of all commodities, (excepting only jewels and plate, and some few others, which wear out but insensibly) may properly enough pass under that name. Engrossing too has some influence on the present vent: but this inclosing some considerable part of any commodity, (for if the engrossing be of all the commodity, and it be of general use, the price is at the will of the engrosser) out of the free common of trade, only for some time, and afterwards returning again to sale, makes not usually so sensible and general an alteration in the vent as the others do: but yet influences the price, and the vent more, according as it extends itself to a larger portion of the commodity, and hoards it up longer.

8. Most other portable commodities (excepting jewels, plate, &c.) decaying quickly in their use, but money being less consumed, or increased, *i. e.* by slower degrees removed from, or brought into the free commerce of any country, than the greatest part of other merchandize; and so the proportion between its quantity and vent altering slower than in most other commodities; it is commonly looked on as a standing measure, to judge of the value of all things, especially being adapted to it by its weight and denomination in coinage.

9. Money, whilst the same quantity of it is passing up and down the kingdom in trade, is really a standing measure of the falling and rising value of other things, in reference to one another: and the alteration of price

is truly in them only. But if you increase, or lessen, the quantity of money, current in traffic, in any place, then the alteration of value is in the money: and if at the same time wheat keep its proportion of vent to quantity, money, to speak truly, alters its worth, and wheat does not, though it sell for a greater or less price than it did before. For money, being looked upon as the standing measure of other commodities, men consider and speak of it still as if it were a standing measure, though, when it has varied its quantity, it is plain it is not.

10. But the value or price of all commodities, amongst which money passing in trade is truly one, consisting in proportion, you alter this, as you do all other proportions, whether you increase one, or lessen the other.

11. In all other commodities, the owners, when they design them for traffic, endeavour, as much as they can, to have them vented and gone, *i. e.* removed out of the reach of commerce, by consumption, exportation, or laying up: but money never lying upon people's hands, or wanting vent, (for any one may part with it in exchange, when he pleases) the provident public and private care is to keep it from venting, or consuming, *i. e.* from exportation, which is its proper consumption; and from hoarding up by others, which is a sort of engrossing. Hence it is that other commodities have sometimes a quicker, sometimes a slower vent: for nobody lays out his money in them, but according to the use he has of them, and that has bounds. But every body being ready to receive money without bounds, and keep it by him, because it answers all things: therefore the vent of money is always sufficient, or more than enough. This being so, its quantity alone is enough to regulate and determine its value, without considering any proportion between its quantity and vent, as in other commodities.

12. Therefore the lessening of use, not bringing one penny of money more into the trade or exchange of any country, but rather drawing it away from trade, and so making it less, does not at all sink its value, and

make it buy less of any commodity, but rather more.

13. That which raises the natural interest of money, is the same that raises the rent of land, *i. e.* its aptness to bring in yearly to him that manages it a greater overplus of income above his rent, as a reward to his labour. That which causes this in land, is the greater quantity of its product, in proportion to the same vent to that particular fruit, or the same quantity of product, in proportion to a greater vent of that single commodity; but that which causes increase of profit to the borrower of money, is the less quantity of money, in proportion to trade, or to the vent of all commodities, taken together, and *vice versa.*

14. The natural value of money, as it is apt to yield such a yearly income by interest, depends on the whole quantity of the then passing money of the kingdom, in proportion to the whole trade of the kingdom, *i. e.* the general vent of all the commodities. But the natural value of money, in exchanging for any one commodity, is the quantity of the trading money of the kingdom designed for that commodity, in proportion to that single commodity and its vent. For though any single man's necessity and want, either of money, or any species of commodity, being known, may make him pay dearer for money, or that commodity, yet this is but a particular case, that does not at the same time alter this constant and general rule.

15. That supposing wheat a standing measure, that is, that there is constantly the same quantity of it, in proportion to its vent, we shall find money to run the same variety of changes in its value, as all other commodities do. Now that wheat in England does come nearest to a standing measure, is evident by comparing wheat with other commodities, money, and the yearly income of land, in Henry the Seventh's time, and now; for supposing that primo Henry VII. N. let 100 acres of land to A. for 6*d.* per annum per acre, rack-rent, and to B. another 100 acres of land, of the same soil and yearly worth with the former, for a bushel of wheat per acre, rack-rent, (a bushel of wheat about that

time being probably sold for about 6*d.*) it was then an equal rent. If, therefore, these leases were for years yet to come, it is certain that he that paid but 6*d.* per acre, would pay now 50*s.* per annum, and he that paid a bushel of wheat per acre, would now pay about 25*l.* per annum, which would be near about the yearly value of the land, were it to be let now. The reason whereof is this, that there being ten times as much silver now in the world (the discovery of the West Indies having made the plenty) as there was then, it is nine-tenths less worth now than it was at that time; that is, it will exchange for nine-tenths less of any commodity now, which bears the same proportion to its vent, as it did 200 years since, which, of all other commodities, wheat is likeliest to do; for in England, and this part of the world, wheat being the constant and most general food, not altering with the fashion, not growing by chance; but as the farmers sow more or less of it, which they endeavour to proportion, as near as can be guessed, to the consumption, abstracting the overplus of the precedent year, in their provision for the next, and *vice versa;* it must needs fall out, that it keeps the nearest proportion to its consumption (which is more studied and designed in this than other commodities) of any thing, if you take it for seven or twenty years together: though perhaps the plenty or scarcity of one year, caused by the accidents of the season, may very much vary it from the immediately precedent, or following. Wheat, therefore, in this part of the world, (and that grain, which is the constant general food of any other country) is the fittest measure to judge of the altered value of things, in any long tract of time: and therefore, wheat here, rice in Turkey, &c. is the fittest thing to reserve a rent in, which is designed to be constantly the same for all future ages. But money is the best measure of the altered value of things in a few years: because its vent is the same, and its quantity alters slowly. But wheat, or any other grain, cannot serve instead of money, because of its bulkiness, and too quick change of its quantity; for had I a bond, to

pay me 100 bushels of wheat next year, it might be a fourth part loss or gain to me; too great an inequality and uncertainty to be ventured in trade: besides the different goodness of several parcels of wheat in the same year.

16. That supposing any island separate from the commerce of the rest of mankind; if gold and silver, or whatever else, (so it be lasting) be their money, if they have but a certain quantity of it, and can give no more, that will be a steady, standing measure of the value of all other things.

17. That, if in any country they use for money any lasting material, whereof there is not any more to be got, and so cannot be increased, or being of no other use, the rest of the world does not value it, and so it is not like to be diminished, this also would be a steady, standing measure of the value of other commodities.

18. That in a country, where they had such a standing measure, any quantity of that money (if it were but so much that every body might have some) would serve to drive any proportion of trade, whether more or less; there being counters enough to reckon by, and the value of the pledges being still sufficient, as constantly increasing with the plenty of the commodity. But these three last, being built on suppositions that are not like to be found in the practice of mankind, since navigation and commerce have brought all parts acquainted with one another, and introduced the use of gold and silver money into all trading parts of the world; they serve rather to give us some light into the nature of money, than to teach here a new measure of traffic. Though it be certain, that that part of the world which bred most of our gold and silver used least of it in exchange, and used it not for money at all.

19. That therefore, in any country, that hath commerce with the rest of the world, it is almost impossible now to be without the use of silver coin; and having money of that, and accounts kept in such money, it is impossible to have any standing, unalterable measure of the value of things; for whilst the mines sup-

ply to mankind more than wastes and consumes in its use, the quantity of it will daily grow greater, in respect of other commodities, and its value less.

20. That in a country, that hath open commerce with the rest of the world, and uses money, made of the same materials with their neighbours, any quantity of that money will not serve to drive any quantity of trade; but there must be a certain proportion between their money and trade. The reason whereof is this, because to keep your trade going without loss, your commodities amongst you must keep an equal, or at least near the price of the same species of commodities in the neighbouring countries; which they cannot do if your money be far less than in other countries: for then either your commodities must be sold very cheap, or a great part of your trade must stand still, there not being money enough in the country to pay for them (in their shifting of hands) at that high price, which the plenty, and consequently low value of money, makes them at in another country; for the value of money, in general, is the quantity of all the money in the world, in proportion to all the trade: but the value of money in any one country, is the present quantity of the current money in that country, in proportion to the present trade. Supposing then, that we had now in England but half as much money as we had seven years ago, and yet had still as much yearly product of commodities, as many hands to work them, and as many brokers to disperse them, as before; and that the rest of the world we trade with had as much money as they had before, (for it is likely they should have more by our moiety shared amongst them) it is certain, that either half our rents should not be paid, half our commodities not vented, and half our labourers not employed, and so half the trade be clearly lost; or else, that every one of these must receive but half the money for their commodities and labour they did before, and but half so much as our neighbours do receive, for the same labour, and the same natural product at the same time. Such a state of poverty as this, though it will make no scarcity of our native commodities amongst us, yet it will have these ill consequences.

1. It will make our native commodities vent very cheap.

2. It will make all foreign commodities very dear, both which will make us poor; for the merchant, making silver and gold his measure, and considering what the foreign commodity costs him (*i. e.* how many ounces of silver) in the country where money is more plenty, *i. e.* cheaper; and considering too, how many ounces of silver it will yield him in another country, will not part with it here, but for the same quantity of silver, or as much as that silver will buy here of our commodity, which will be a great deal more than in another place; so that, in all our exchange of native for foreign commodities, we shall pay double the value that any other country does, where money is in greater plenty. This indeed will make a dearness, and in time a scarcity of foreign commodities; which is not the worst inconveniency that it brings upon us, supposing them not absolutely necessary. But,

3. It endangers the drawing away our people, both handicrafts, mariners, and soldiers, who are apt to go where their pay is best, which will always be where there is greatest plenty of money, and in time of war must needs bring great distress.

21. Upon this measure too it is, that the variation of exchange of money between several countries does somewhat depend: for it is certain that one ounce of silver is always of equal value to another ounce of silver, considered in its intrinsic worth, or in reference to the universal trade of the world: but it is not of the same value at the same time in several parts of the world, but is of the most worth in that country where there is the least money, in proportion to its trade: and therefore men may afford to give twenty ounces of silver in one place, to receive eighteen or nineteen ounces of silver in another. But this is not all: to this then, (to find out the alteration of the exchange) the over-balance of the trade must be taken into consideration. These two together regulate the exchange, in all the commerce of the world, and in both the higher rate of exchange depends upon one and the same thing, viz. the *greater* plenty of money in one country than in the other:

only with this difference, that where the over-balance of trade raises the exchange above the par, there it is the plenty of money which private merchants have in one country, which they desire to remove in another: but where the riches of the country raise the exchange above the par, there it is the plenty of the money in the whole country. In one, the merchant has more money (or debts, which is all one) in a foreign country, than his trade there will employ, and so is willing to allow upon exchange to him abroad, that shall pay him ready money at home, 1, 2, 3, &c. per cent. more or less, proportionably as his, or his countrymen's plenty of ready money abroad, the danger of leaving it there, or the difficulty of bringing it home in specie, and his present need of money at home, is greater or less: in the other, the whole country has more money than can well be employed in the trade thereof, or at least the proportion of the money to the trade is greater than in the neighbouring country, where the exchange is below the par.

For, supposing the balance of trade to be equal between England and Holland, but that there is in Holland a greater plenty of money than in England, (which will appear by the lowness of the natural use in Holland, and the height of the natural use in England, and also by the dearness of food and labour in general in Holland, and the cheapness of it in England.) If N. has 10,000*l.* in Holland, which the greater advantage he could make of it in England, either by use or purchase, tempts him to transfer into England, it is probable he will give as much to a merchant in England, to pay him 10,000*l.* in England, as the insurance at that time between Holland and England is worth. If this happens to be in a country, where the exportation of bullion is prohibited, he must pay the more, because his venture, if he carry it in specie, will be greater; and upon this ground, perhaps, the prohibiting the exportation of money out of England, under penalties, may be of some use, by making the rate of the exchange greater to those countries, which import upon us more than they export in commodities; and so retain some

part of the money, which their over-balance of trade would carry away from us, though, after all, if we are over-balanced in trade, it must go.

But, since the Holland merchant cannot receive N.'s 10,000*l.* in money in Holland, and pay him 10,000*l.* in England, unless his over-balance of trade make Englishmen indebted to him 10,000*l.* in money, which he is not like to take in commodities, I think the over-balance of trade is that, which chiefly raises the exchange in any country, and that plenty of money in any country does it only for so much of the money as is transferred, either to be let out to use, or to be spent there; and though lending to foreigners upon use doth not at all alter the balance of trade between those countries, yet it does alter the exchange between those countries for so much as is lent upon use, by not calling away the money that should follow the over-balance of trade, but letting it rest there, as if it were accounted for; all one as if the balance of trade were for so much altered. But this being not much, in comparison of the general traffic between two nations, or at least varying slower, the merchant too regulating the exchange, and not the usurer; I suppose it is the present balance of trade on which the exchange immediately and chiefly depends, unless some accident shall make a great deal of money be remitted at the same time from one place to another, which will for that time raise the exchange all one as an over-balance of trade; and indeed, when examined, is generally very little different from it.

To be able to estimate the par, with the rise and fall of the exchange, it is necessary to know the intrinsic value, *i. e.* how much silver is in the coins of the two countries, by which you reckon and charge the bill of exchange.

Sir, if I have been led a little too far from one thing to another, in the consideration of money, I beg your pardon, hoping that these particulars will afford some light to our present subject.

To return to the price of land. It is evident, by what has been above said, that the years' purchase of land does not increase with the fall of interest; and the abating

of that good quality in money, of yielding yearly six per cent. to four, does not presently so sink its value, in respect of land, that one-third more is required in exchange: falling of interest from six to four, will not raise land from twenty to thirty years' purchase; the rising and falling of the price of land, as of other things, depends much on the quantity of land set to sale, compared with the quantity of money designed for that traffic, or, which amounts to the same thing, upon the number of buyers and sellers; for where there are many sellers and few purchasers, though interest be lessened, land will be cheap, as I have already showed. At least this is certain, that making a law to reduce interest will not raise the price of land; it will only, by driving it more into the banker's hands, leave the country barer of money; whereby, if the price of land about London should be accidentally raised, that of remoter countries would thereby have fewer purchasers, and at lower rates.

This being so, that the low rate of land depends much on the great number of sellers in proportion to purchasers, the next thing to be inquired into is, what makes plenty of sellers? And to that the answer is obvious, general ill husbandry, and the consequence of it, debts. If a neglect of government and religion, ill examples, and depraved education, have introduced debauchery, and art, or chance, has made it fashionable for men to live beyond their estates, debts will increase and multiply, and draw with them a necessity on men, first of encumbering, and then selling their estates. This is generally the cause why men part with their land: and I think there is scarce one in an hundred that thinks of selling his patrimony, till mortgages have pretty well eat into the freehold; and the weight of growing debts force a man, whether he will or no, out of his possessions. When almost is there ever a clear and unencumbered estate set to sale? It is seldom a thriving man turns his land into money, to make the greater advantage: the examples of it are so rare, that they are scarce of any consideration in the number of sellers.

This, I think, may be the reason, why, in queen

Elizabeth's days (when sobriety, frugality, and industry, brought in daily increase to the growing wealth of the kingdom) land kept up its price, and sold for more years' purchase than corresponded to the interest of money, then busily employed in a thriving trade, which made the natural interest much higher than it is now, as well as the parliament then set it higher by law.

On the contrary side, what makes scarcity of purchasers?

1. The same reason, ill husbandry. When the tradesman lives up to the height of his income, and the vanity of expenses either drains the merchant's coffers, or keeps them from overflowing, he seldom thinks of purchasing. Buying of land is the result of a full and satiated gain: and men in trade seldom think of laying out their money upon land, till their profit has brought them in more than their trade can well employ; and their idle bags, cumbering their counting-houses, put them upon emptying them on a purchase.

2. Another thing that makes a scarcity of buyers of land, are doubtful and ill titles: where these are frequent and fatal, one can no more expect that men, who have money, should be forward to purchase, than ships, richly laden, to venture themselves amongst rocks and quicksands. It is no wonder such seas should not be much frequented, where the examples and remains of daily wrecks show the folly and hazard of the venture, in the number of those who have miscarried.

3. A general decay of trade discourages men from purchasing: for this threatens an universal poverty, which is sure to fall first and heaviest upon land. The merchant, who furnishes the improvident landholder, will not fail to have money for his wares with gain, whether the kingdom get by his trade or no, and he will keep his money rather employed in trade, which brings him in profit, (for the merchant may get by a trade that makes the kingdom poor) than lay it out in land, whose rent he sees sinking, and foresees, by the course of trade, is likely to continue to do so. When a nation is running to decay and ruin, the merchant and

monied man, do what you can, will be sure to starve last: observe it where you will, the decays that come upon, and bring to ruin any country, do constantly first fall upon the land: and though the country gentleman, (who usually securely relies upon so much a year as was given in at his marriage settlement, and thinks his land an unmoveable fund for such an income) be not very forward to think so; yet this nevertheless is an undoubted truth, that he is more concerned in trade, and ought to take a greater care that it be well managed and preserved, than even the merchant himself. For he will certainly find, when a decay of trade has carried away one part of our money out of the kingdom, and the other is kept in the merchant and tradesman's hands, that no laws he can make, nor any little arts of shifting property amongst ourselves, will bring it back to him again: but his rents will fall, and his income every day lessen, till general industry and frugality, joined to a well-ordered trade, shall restore to the kingdom the riches and wealth it had formerly.

This by the way, if well considered, might let us see, that taxes, however contrived, and out of whose hands soever immediately taken, do, in a country where their great fund is in land, for the most part terminate upon land. Whatsoever the people is chiefly maintained by, that the government supports itself on: nay, perhaps it will be found, that those taxes which seem least to affect land, will most surely of all other fall the rents. This would deserve to be well considered, in the raising of taxes, lest the neglect of it bring upon the country gentleman an evil, which he will be sure quickly to feel, but not be able very quickly to remedy. For rents once fallen are not easily raised again. A tax laid upon land seems hard to the landholder, because it is so much money going visibly out of his pocket: and therefore, as an ease to himself, the landholder is always forward to lay it upon commodities. But, if he will thoroughly consider it, and examine the effects, will find he buys this seeming ease at a very dear though he pays not this tax immediately out

of his own purse, yet his purse will find it by a greater want of money there, at the end of the year, than that comes to, with the lessening of his rents to boot: which is a settled and lasting evil, that will stick upon him beyond the present payment.

To make this clear, let us suppose in the present state of affairs in England, that the rents of England are twelve millions, and that the charge and necessities of the government require a supply of three millions from the parliament, which is laid on land. Here is one-fourth part of his yearly income goes immediately out of the landlord's and landholder's pocket. This is a burden very apt to be felt. The country gentleman, who actually pays the money out of his pocket, or finds it deducted out of his rent at quarter-day for taxes, sees and very sensibly observes what goes thus out of his estate. But though this be a quarter of his yearly income, and, out of an estate of four hundred pounds a year, the public tax now openly takes away one hundred; yet this influences not at all the yearly rent of the land, which the rack-renter, or under-tenant, pays: it being the same thing to him, whether he pays all his rent to the king, or his landlord; or half, or a quarter, or none at all to the king; the case is all one to him, what hand receives his rent, when due: so trade flourishes, and his commodities go off well, he will be able to pay his rent on. This lessens not any more the value of his farm, than a high or a low chief rent does, paid out of it to the lord of the fee: the tenant's bargain and profit are the same, whether the land be charged, or not charged, with an annuity payable to another man. We see this in college leases, where though the college tenant pays for it to the college some years five times as much as he does others, upon the varying rate of corn; yet the under-tenant feels not this alteration in the least, nor finds a reason to have his rent abated, because a greater part of it is diverted from his landlord. All this is but changing the hand that receives the rent, without any influence at all upon the yearly value of the estate; which will not be let for one penny more, or less, to the renter, however, or amongst whomsoever, the rent

he pays be divided. From hence it is evident, that taxes laid on land do not in the least make rents fall.

But suppose, to shift off the burthen from the land, some country gentleman should think fit to raise these three millions upon commodities, to let the land go free. First, it is to be considered, That since the public wants require three millions, (for that we supposed for argument's sake; let it be three millions, or one million, that is all one) and so much must go into the king's coffers, or else the necessities of the government will not be supplied: that for raising these three millions on commodities, and bringing so much into the exchequer, there must go a great deal more than three millions out of the subjects' pockets. For a tax of that nature cannot be levied by officers, to watch every little rivulet of trade, without a great charge, especially at first trial. But supposing no more charges in raising it than of a land-tax, and that there are only three millions to be paid, it is evident that, to do this out of commodities, they must, to the consumer, be raised a quarter in their price; so that every thing, to him that uses it, must be a quarter dearer. Let us see now who, at long-run, must pay this quarter, and where it will light. It is plain, the merchant and broker neither will, nor can; for, if he pays a quarter more for commodities than he did, he will sell them at a price proportionably raised. The poor labourer and handicraftsman cannot: for he just lives from hand to mouth already, and all his food, clothing, and utensils costing a quarter more than they did before, either his wages must rise with the price of things, to make him live, or else, not being able to maintain himself and family by his labour, he comes to the parish; and then the land bears the burthen a heavier way. If the labourer's wages be raised in proportion to the increased rates of things, the farmer who pays a quarter more for wages, as well as all other things, whilst he sells his corn and wool, either at the same rate, or lower, at the market (since the tax laid upon it makes people less forward to buy) must either have his rent abated, or else break and run away in his landlord's debt; and so the yearly

value of the land is brought down. And who then pays the tax at the year's end, but the landlord? when the tenant, not able to raise his rent by his commodities, either runs away in his landlord's debt, or cannot be continued in the farm, without abatement of rent: for, when the yearly charge in his farm is greater by the increase of the labourer's wages, and yet his product sells cheaper by reason of the tax laid on his commodities; how will the farmer be able to make up his rent at quarter-day? For this may be worth our notice, that any tax laid on foreign commodities in England, raises its price, and makes the importer get more for his commodity: but, on the contrary, a tax laid on your native product, and home-made commodities, lessens their price, and makes them yield less to the first seller.

The reason whereof is plain. For the merchant importing no commodity, but what the necessity, or fashionable wantonness, of your people gives him vent for, will not only proportion his gain to the cost and risque, which he has been at before landing; but will expect profit of his money paid here, for any tax laid on it; and take advantage from thence to raise his price above what his tax comes to; and if he cannot do that, he will trade no more in that commodity. For it being not the product of his farm, he is not tied to bring it to market, if he finds its price not answer his expectation there, but turns himself to other wares, which he finds your markets take off better. A merchant will never continue to trade in wares, which the change of fashion, or humour amongst your people, has made less vendible, though he may be sometimes caught by a sudden alteration. But that seldom happens in the course of trade, so as to influence the great bulk of it. For things of necessity must still be had, and things of fashion will be had, as long as men have money, or credit, whatever rates they cost, and the rather because they are dear. For, it being vanity, not use, that makes the expensive fashion of your people, the emulation is, who shall have the finest, that is, the dearest things, not the most convenient, or useful. How many things do we value, or buy, because they come at dear rates

from Japan and China, which if they were our own manufacture or product, common to be had, and for a little money, would be contemned and neglected! Have not several of our own commodities, offered to sale at reasonable rates, been despised, and the very same eagerly bought and bragged off, when sold for French, at a double price? You must not think, therefore, that the raising their price will lessen the vent of fashionable, foreign commodities amongst you, as long as men have any way to purchase them, but rather increase it. French wine is become a modish drink amongst us, and a man is ashamed to entertain his friend, or almost to dine himself without it. The price is in the memory of man raised from 6*d.* to 2*s.* and does this hinder the drinking of it? No, the quite contrary: a man's way of living is commended, because he will give any rate for it: and a man will give any rate rather than pass for a poor wretch, or a penurious curmudgeon, that is not able, or knows not how to live well, nor use his friends civilly. Fashion is, for the most part, nothing but the ostentation of riches, and therefore the high price of what serves to that, rather increases than lessens its vent. The contest and glory is in the expense, not the usefulness of it; and people are then thought and said to live well, when they can make a show of rare and foreign things, and such as their neighbours cannot go to the price of.

Thus we see how foreign commodities fall not in their price, by taxes laid on them, because the merchant is not necessitated to bring to your market any but fashionable commodities, and those go off the better for their high rate. But, on the contrary, your landholder being forced to bring his commodities to market, such as his land and industry afford him, common and known things, he must sell them there at such a price as he can get. This the buyer knows; and these home-bred commodities being seldom the favourites of your people, or any farther acceptable than as great conveniency recommends them to the vulgar, or downright necessity to all; as soon as a tax is laid on them, every one makes as sparing an use of them as he can, that he

may save his money for other necessary or creditable expenses. Thus the price, which our native commodities yield the first seller, is mightily abated, and so the yearly value of the land, which produces them, lessened too.

If, therefore, the laying of taxes upon commodities does, as it is evident, affect the land that is out at a rack-rent, it is plain it does equally affect all the other land in England too, and the gentry will, but the worst way, increase their own charges, that is, by lessening the yearly value of their estates, if they hope to ease their land, by charging commodities. It is in vain, in a country whose great fund is land, to hope to lay the public charge of the government on any thing else; there at last it will terminate. The merchant (do what you can), will not bear it, the labourer cannot, and therefore the landholder must: and whether he were best do it, by laying it directly where it will at last settle, or by letting it come to him by the sinking of his rents, which, when they are once fallen, every one knows are not easily raised again, let him consider.

Holland is brought as an instance of laying the charge of the public upon trade, and it is possibly (excepting some few small free towns) the only place in the world that could be brought to favour this way. But yet, when examined, will be found to show the quite contrary, and be a clear proof, that lay the taxes how you will, land every where, in proportion, bears the greater share of the burthen. The public charge of the government, it is said, is, in the United Provinces, laid on trade. I grant it is, the greatest part of it; but is the land excused, or eased by it? By no means; but, on the contrary, so loaded, that in many places half, in others a quarter, in others one-eighth of the yearly value does not come into the owner's pocket: and if I have not been misinformed, the land in some places will not pay the taxes: so that we may say, that the charge of the government came not upon commodities, till the land could not bear it. The burthen unavoidably settles upon the land first, and when it has pressed it so, that it can yield no more, trade must be brought in aid,

to help to support the government, rather than let all sink: but the first stress is always upon land, and as far as that will reach it is unavoidably carried, lay your taxes how you will. It is known what a share of the public charges of the government is supported by the trade of Amsterdam alone; as I remember that one town pays thirty-six in the hundred of all the public taxes raised in the United Provinces. But are the lands of Guelderland eased by it? Let any one see, in that country of land more than trade, what they make clear of their revenues, and whether the country gentlemen there grow rich on their land, whilst the merchant, having the taxes laid on his commerce, is impoverished? On the contrary, Guelderland is so low and out of cash, that Amsterdam has been fain, for many years, to lay down the taxes for them; which is, in effect, to pay the taxes of Guelderland too.

Struggle and contrive as you will, lay your taxes as you please, the traders will shift it off from their own gain; the merchants will bear the least part of it, and grow poor last. In Holland itself, where trade is so loaded, who, I pray, grows richest, the landholder; or the trader? Which of them is pinched, and wants money most? A country may thrive, the country gentleman grow rich, and his rents increase (for so it has been here) whilst the land is taxed: but I challenge any one to show me a country, wherein there is any considerable public charge raised, where the land does not most sensibly feel it, and, in proportion, bear much the greater part of it.

We must not, therefore, impute the falling of the rents, or of the price of land, to high interest; nor, if ill husbandry has wasted our riches, hope by such kind of laws to raise them to their former value. I humbly conceive we shall in vain endeavour it, by the fall of interest. The number of buyers must be increased, and sellers lessened, which must be done by other ways, than regulating of interest, or else the landed man will neither find chapmen for his land, nor for the corn that grows on it, at the rate he desires.

But, could an act of parliament bring down interest

to four per cent., and the lowering of that immediately raise the purchaser's fine from 20 to 25 years' purchase; yet it may be doubted, whether this be fit to be made into a law, because it would be of no advantage to the kingdom. For what profit would it be to the nation to make a law, that he who sells land, should instead of four have five hundred pounds of the purchaser? This indeed, a little alters the distribution of the money we have amongst us Englishmen here at home, but neither helps to continue what we have, nor brings in more from abroad: which, being the only concernment of the kingdom, in reference to its wealth, is apt to be supposed by us without doors to be the only care of a parliament. For it matters not, so it be here amongst us, whether the money be in Thomas or Richard's hands, provided it be so ordered, that whoever has it may be encouraged to let it go into the current of trade, for the improvement of the general stock and wealth of the nation.

As this increase of the fine, in the purchase of land, is not an advantage to the kingdom; so neither is it to the landholder, who is the person, that, bearing the greatest part of the burthens of the kingdom, ought, I think, to have the greatest care taken of him, and enjoy as many privileges, and as much wealth, as the favour of the law can (with regard to the public weal) confer upon him. But pray consider: the raising the price of land in sale, by increasing the number of years' purchase to be paid for it, gives the advantage, not to the landholder, but to him that ceases to be so. He, that has no longer the land, has the more money: and he, who has the land, is the poorer. The true advantage of the landholder is, that his corn, flesh, and wool, sell better, and yield a greater price; this, indeed, is a profit that benefits the owner of the land, and goes along with it: it is this alone raises the rent, and makes the possessor richer: and this can only be done by increasing our wealth, and drawing more money into England; which the falling of interest, and thereby (if it could effect it) raising the purchase of land, is so far from doing, that it does visibly and directly one way hinder

our increase of wealth, that is, by hindering foreigners to come here, and buy land, and settle amongst us. Whereby we have this double loss; first, we lose their persons, increase of people being the increase both of strength and riches. Secondly, we lose so much money; for, though whatever an Englishman gives to another for land, though raised to forty years' purchase, be not one farthing advantage to the kingdom; yet whatever a foreigner, who purchases land here, gives for it, is so much every farthing clear gain to the nation: for that money comes clear in, without carrying out any thing for it, and is every farthing of it as perfect gain to the nation, as if it dropped down from the clouds.

But farther, if consideration be to be had only of sellers of land, the lowering of interest to four per cent. will not be in their favour, unless by it you can raise land to thirty years' purchase, which is not at all likely: and I think nobody, by falling of interest to four per cent., hopes to get chapmen for their land at that rate. Whatsoever they have less, if law can regulate interest, they lose of their value of land, money being thus abased. So that the landed man will scarce find his account neither, by this law, when it comes to trial. And at last, I imagine, this will be the result of all such attempts, that experience will show that the price of things will not be regulated by laws, though the endeavours after it will be sure to prejudice and inconvenience trade, and put your affairs out of order.

If this be so, that interest cannot be regulated by law, or that, if it could, yet the reducing of it to four per cent. would do more harm than good: what then should there (you will say) be no law at all to regulate interest? I say not so. For,

1. It is necessary that there should be a stated rate of interest, and in debts and forbearances, where contract has not settled it between the parties, the law might give a rule, and courts of judicature might know what damages to allow. This may, and therefore should be regulated.

2. That in the present current of running cash, which now takes its course almost all to London, and is engrossed by a very few hands in comparison, young men, and those in want, might not too easily be exposed to extortion and oppression; and the dexterous and combining money-jobbers not have too great and unbounded a power, to prey upon the ignorance or necessity of borrowers. There would not be much danger of this, if money were more equally distributed into the several quarters of England, and into a greater number of hands, according to the exigencies of trade.

If money were to be hired, as land is; or to be had as corn, or wool, from the owner himself, and known good security be given for it; it might then probably be had at the market (which is the true) rate, and that rate of interest would be a constant gauge of your trade and wealth. But, when a kind of monopoly, by consent, has put this general commodity into a few hands, it may need regulation, though what the stated rate of interest should be, in the constant change of affairs, and flux of money, is hard to determine. Possibly it may be allowed, as a reasonable proposal, that it should be within such bounds, as should not, on the one side, quite eat up the merchant's and tradesmen's profit, and discourage their industry; nor, on the other hand, so low, as should hinder men from risquing their money in other men's hands, and so rather choose to keep it out of trade, than venture it upon so small profit. When it is too high, it so hinders the merchant's gain, that he will not borrow; when too low, it so hinders the monied man's profit, that he will not lend; and both these ways it is an hinderance to trade.

But this being, perhaps, too general and loose a rule, let me add, that if one would consider money and land alone, in relation one to another, perhaps it is now at six per cent. in as good a proportion as is possible; six per cent. being a little higher than land at twenty years' purchase, which is the rate pretty near, that land has generally carried in England, it never being much over, nor under. For supposing 100*l.* in money, and land of 5*l.* per ann. be of equal value, which is land at

twenty years' purchase; it is necessary for the making their value truly equal, that they should produce an equal income, which the 100*l.* at 5*l.* per cent. interest is not likely to do.

1. Because of the many, and sometimes long intervals of barrenness, which happen to money more than land. Money at use, when returned into the hands of the owner, usually lies dead there, till he gets a new tenant for it, and can put it out again; and all this time it produces nothing. But this happens not to land, the growing product whereof turns to account to the owner, even when it is in his hands, or is allowed for by the tenant, antecedently to his entering upon the farm. For though a man, that borrows money at Midsummer, never begins to pay his interest from our Lady-day, or one moment backwards; yet he, who rents a farm at Midsummer, may have as much reason to begin his rent from our Lady-day, as if he had then entered upon it.

2. Besides the dead intervals of ceasing profit, which happen to money more than land, there is another reason why the profit and income of money let out should be a little higher than that of land; and that is, because money out at interest runs a greater risque than land does. The borrower may break, and run away with the money, and then not only the interest due, but all the future profit, with the principal, is lost for ever. But in land a man can lose but the rent due, for which usually too the stock upon the land is sufficient security: and if a tenant run away in arrear of some rent, the land remains; that cannot be carried away or lost. Should a man purchase good land in Middlesex of 5*l.* per ann. at twenty years' purchase, and other land in Romney-marsh, or elsewhere, of the same yearly value, but so situated, that it were in danger to be swallowed of the sea, and be utterly lost, it would not be unreasonable, that he should expect to have it under twenty years' purchase; suppose sixteen and a half: this is to bring it to just the case of land at twenty years' purchase; and money at six per cent. where the uncertainty of securing one's money may well be

allowed that advantage of greater profit; and therefore, perhaps, the legal interest now in England at six per cent. is as reasonable and convenient a rate as can well be set by a standing rule, especially if we consider that the law requires not a man to pay six per cent. but ties up the lender from taking more. So that if ever it falls of itself, the monied-man is sure to find it, and his interest will be brought down to it.

High interest is thought by some a prejudice to trade; but if we look back, we shall find that England never throve so well, nor was there ever brought into England so great an increase of wealth since, as in queen Elizabeth's and king James I. and Charles the First's time, when money was at ten and eight per cent. I will not say high interest was the cause of it. For I rather think that our thriving trade was the cause of high interest, every one craving money to employ in a profitable commerce. But this, I think, I may reasonably infer from it, That lowering of interest is not a sure way to improve either our trade or wealth.

To this I hear some say, That the Dutch, skilful in all arts of promoting trade, to out-do us in this, as well as all other advancements of it, have observed this rule, viz. That, when we fell interest in England from ten to eight, they presently sunk interest in Holland to four per cent. And again, when we lowered it to six, they fell it to three per cent., thereby to keep the advantage, which the lowness of interest gives to trade. From whence these men readily conclude, that the falling of interest will advance trade in England. To which I answer,

1. That this looks like an argument rather made for the present occasion, to mislead those who are credulous enough to swallow it, than arising from true reason, and matter of fact. For, if lowering of interest were so advantageous to trade, why did the Dutch so constantly take their measures only by us, and not as well by some other of their neighbours, with whom they have as great, or greater commerce than with us? This is enough, at first sight, to make one suspect this

to be dust only raised to throw in people's eyes, and a suggestion made to serve a purpose. For,

2. It will not be found true, That, when we abated interest here in England to eight, the Dutch sunk it in Holland to four per cent. by law; or that there was any law made in Holland to limit the rate of interest to three per cent. when we reduced it in England to six. It is true, John de Witt, when he managed the affairs of Holland, setting himself to lessen the public debts, and having actually paid some, and getting money in a readiness to pay others, sent notice to all the creditors, that those who would not take four per cent. should come and receive their money. The creditors finding him in earnest, and knowing not how otherwise to employ their money, accepted his terms, and changed their obligations into four per cent. whereas before they were at five, and so (the great loans of the country being to the state) it might be said in this sense, That the rate of interest was reduced lower at that time: but that it was done by a law, forbidding to take higher interest than four per cent., that I deny, and require any one to show. Indeed, upon good security, one might lately have borrowed money in Holland at three, and three and a half per cent. but not by virtue of any law, but the natural rate of interest. And I appeal to the men, learned in the law of Holland, whether last year (and I doubt not but it is so still) a man might not lawfully lend his money for what interest he could get, and whether in the courts he should not recover the interest he contracted for, if it were ten per cent. So that, if money be to be borrowed by honest and responsible men at three, or three and a half per cent., it is not by the force of statutes and edicts, but by the natural course of things; which will always bring interest upon good security low, where there is a great deal of money to be lent, and little good security, in proportion, to be had. Holland is a country where the land makes a very little part of the stock of the country. Trade is their great fund; and their estates lie generally in money: so that all, who are not traders, generally

speaking, are lenders: of which there are so many, whose income depends upon interest, that if the States were not mightily in debt, but paid every one their principal, instead of the four per cent. use, which they give, there would be so much more money than could be used, or would be ventured in trade, that money there would be at two per cent. or under, unless they found a way to put it out in foreign countries.

Interest, I grant these men, is low in Holland: but it is so, not as an effect of law, or the politic contrivance of the government, to promote trade; but as the consequence of great plenty of ready money, when their interest first fell. I say, when it first fell: for being once brought low, and the public having borrowed a great part of private men's money, and continuing in debt, it must continue so, though the plenty of money, which first brought interest low, were very much decayed, and a great part of their wealth were really gone. For, the debt of the state affording to the creditors a constant yearly income, that is looked on as a safe revenue, and accounted as valuable as if it were in land; and accordingly they buy it one of another: and whether there be any money in the public coffers or no, he who has to the value of ten thousand pounds owing him from the States, may sell it every day in the week, and have ready money for it: this credit is so great an advantage to private men, who know not else what to do with their stocks, that, were the States now in a condition to begin to pay their debts, the creditors, rather than take their money out, to lie dead by them, would let it stay in at lower interest, as they did some years since, when they were called on to come and receive their money. This is the state of interest in Holland: their plenty of money, and paying their public debts, some time since lowered their interest. But it was not done by the command and limitation of a law, nor in consequence of our reducing it here by law to six per cent. For I deny that there is any law there yet to forbid lending of money for above three, or six, or ten per cent. Whatever some here suggest, every one

there may hire out his money, as freely as he does any thing else, for what rate he can get; and, the bargain being made, the law will enforce the borrower to pay it.

I grant low interest, where all men consent to it, is an advantage to trade, if merchants will regulate their gains accordingly, and men be persuaded to lend to them: but can it be expected, when the public gives seven or eight or ten per cent. that private men, whose security is certainly no better, shall have for four? And can there be any thing stranger, than that the same men, who look on, and therefore allow high use as an encouragement to lending to the Chequer, should think low use should bring money into trade? The States of Holland, some few years since, paid but four per cent. for the money they owed: if you propose them for an example, and interest be to be regulated by a law, try whether you can do so here, and bring men to lend it to the public at that rate. This would be a benefit to the kingdom, and abate a great part of our public charge. If you cannot do that, confess that it is not the law in Holland has brought the interest, there so low, but something else, and that which will make the States, or any body else, pay dearer now, if either their credit be less or money there scarcer.

An infallible sign of your decay of wealth is the falling of rents, and the raising of them would be worth the nation's care; for in that, and not in the falling of interest, lies the true advantage of the landed man, and with him of the public. It may be therefore not besides our present business to inquire into the cause of the falling of rents in England.

1. Either the land is grown barrener, and so the product is less, and consequently the money to be received for that product is less; for it is evident, that he whose land was wont to produce 100 bushels of wheat, *communibus annis*, if by long tillage and husbandry it will now produce but 50 bushels, the rent will be abated half. But this cannot be supposed general.

2. Or the rent of that land is lessened. 1. Because the use of the commodity ceases: as the rents must fall in Virginia, were taking of tobacco forbid in England. 2. Or, because something else supplies the room of that product: as the rate of coppice lands will fall upon the discovery of coal mines. 3. Or, because the markets are supplied with the same commodity cheaper from another place; as the breeding counties of England must needs fall their rents by the importation of Irish cattle. 4. Or, because a tax laid on your native commodities makes what the farmer sells cheaper, and labour, and what he buys, dearer.

3. Or the money in the country is less; for the exigencies and uses of money not lessening with its quantity, and it being in the same proportion to be employed and distributed still, in all the parts of its circulation, so much as its quantity is lessened, so much must the share of every one that has a right to this money be the less; whether he be landholder, for his goods; or labourer, for his hire; or merchant, for his brokerage. Though the landholder usually finds it first; because money failing, and falling short, people have not so much money as formerly to lay out, and so less money is brought to market, by which the price of things must necessarily fall. The labourer feels it next; for when the landholder's rent falls, he must either bate the labourer's wages, or not employ, or not pay him; which either way makes him feel the want of money. The merchant feels it last; for though he sells less, and at a lower rate, he buys also our native commodities, which he exports at a lower rate too, and will be sure to leave our native commodities unbought, upon the hands of the farmer or manufacturer, rather than export them to a market which will not afford him returns with profit.

If one-third of the money employed in trade were locked up, or gone out of England, must not the landholders necessarily receive one-third less for their goods, and consequently rents fall; a less quantity of money by one-third being to be distributed amongst an e

number of receivers? Indeed, people not perceiving the money to be gone, are apt to be jealous one of another; and each suspecting another's inequality of gain to rob him of his share, every one will be employing his skill and power the best he can to retrieve it again, and to bring money into his pocket in the same plenty as formerly. But this is but scrambling amongst ourselves, and helps no more against our want, than the pulling off a short coverlet will, amongst children that lie together, preserve them all from the cold. Some will starve, unless the father of the family provide better, and enlarge the scanty covering. This pulling and contest is usually between the landed man and the merchant; for the labourer's share, being seldom more than a bare subsistence, never allows that body of men time or opportunity to raise their thoughts above that, or struggle with the richer for theirs, (as one common interest) unless when some common and great distress, uniting them in one universal ferment, makes them forget respect, and emboldens them to carve to their wants with armed force; and then sometimes they break in upon the rich, and sweep all like a deluge. But this rarely happens but in the male-administration of neglected or mismanaged government.

The usual struggle and contest, as I said before, in the decays of wealth and riches, is between the landed man and the merchant, with whom I may here join the monied man. The landed man finds himself aggrieved by the falling of his rents, and the straitening of his fortune, whilst the monied man keeps up his gain, and the merchant thrives and grows rich by trade. These, he thinks, steal his income into their pockets, build their fortunes upon his ruin, and engross more of the riches of the nation than comes to their share. He therefore endeavours, by laws, to keep up the value of lands, which he suspects lessened by the other's excess of profit: but all in vain. The cause is mistaken, and the remedy too. It is not the merchant's nor monied man's gains that makes land fall: but the want of [illegible] and lessening of our treasure, wasted by ex[illegible]ses, and a mismanaged trade, which

the land always first feels. If the landed gentleman will have, and by his example make it fashionable to have, more claret, spice, silk, and other foreign consumable wares, than our exportation of commodities does exchange for, money must unavoidably follow to balance the account, and pay the debt; and therefore, I fear that another proposal I hear talked of to hinder the exportation of money and bullion will show more our need of care to keep our money from going from us, than a way and method how to preserve it here.

It is death in Spain to export money: and yet they, who furnish all the world with gold and silver, have least of it amongst themselves. Trade fetches it away from that lazy and indigent people, notwithstanding all their artificial and forced contrivances to keep it there. It follows trade, against the rigour of their laws; and their want of foreign commodities makes it openly be carried out at noon-day. Nature has bestowed mines on several parts of the world: but their riches are only for the industrious and frugal. Whomsoever else they visit, it is with the diligent and sober only they stay; and if the virtue and provident way of living of our ancestors (content with our native conveniencies of life, without the costly itch after the materials of pride and luxury from abroad) were brought in fashion and countenance again amongst us; this alone would do more to keep and increase our wealth, and enrich our land, than all our paper helps, about interest, money, bullion, &c. which, however eagerly we may catch at, will not, I fear, without better husbandry, keep us from sinking, whatever contrivances we may have recourse to. It is with a kingdom as with a family. Spending less than our own commodities will pay for, is the sure and only way for the nation to grow rich; and when that begins once seriously to be considered, and our faces and steps are in earnest turned that way, we may hope to have our rents rise, and the public stock thrive again. Till then, we in vain, I fear, endeavour with noise, and weapons of law, to drive the wolf from our own to one another's doors: the breed ought to be extirpated out of the island; for want, brought in by ill management,

and nursed up by expensive vanity, will make the nation poor, and spare nobody.

If three millions were necessary for the carrying on the trade of England, whereof one million were for the landholder to maintain him; another were for the payment of the labourer and handicraftsman; and the third were the share of the brokers, coming to them for their care and pains in distributing; if one million of this money were gone out of the kingdom, must there not be one-third less to be shared amongst them for the product of their land, their labour, and their distribution? I do not say they will feel it at the same time. But the landholder having nothing but what the product of his land will yield; and the buyer, according to the plenty or scarcity of money he has, always setting the price upon what is offered to sale; the landholder must be content to take the market-rate for what he brings thither; which always following the scarcity or plenty of money, if any part of our money be gone, he is sure first to find it in the price of his commodities; for the broker and merchant, though he sell cheaper, yet he buys cheaper too: and he will be sure to get his returns, or let alone a commodity which will not produce him gain: and whatsoever is so let alone, and left in hand, always turns to the landholder's loss.

Supposing that of our woollen manufacture foreign markets took off one-half, and the other half were consumed amongst ourselves: if a sensible part (as one-third) of our coin were gone, and so men had equally one-third less money than they had, (for it is certain it must be tantamount, and what I escape of one-third less, another must make up) it would follow, that they would have less to lay out in clothes, as well as other things, and so would wear them longer, or pay less for them. If a clothier finds a want of vent, he must either sell cheaper, or not at all; if he sell cheaper, he must also pay less, both for wool and labour; and if the labourer hath less wages, he must also pay less for corn, butter, cheese, flesh, or else forbear some of these quite. In all which cases, the price of wool, corn, flesh, and

the other products of land are brought down, and the land bears the greatest part of the loss; for wherever the consumption or vent of any commodity is stopped there the stop continues on, till it comes to the landholder; and, wherever the price of any commodity begins to fall, how many hands soever there be between that and the landholder, they all take reprisals one upon another, till at last it comes to the landholder; and there the abatement of price of any of his commodities lessens his income, and is a clear loss. The owner of land, which produces the commodity, and the last buyer who consumes it, are the two extremes in commerce; and though the falling of any sort of commodity in the landholder's hand does not prove so to the last consumer, the arts of intervening brokers and engrossers keeping up the price to their own advantage, yet, whenever want of money, or want of desire in the consumer, make the price low, that immediately reaches the first producer, nobody between having any interest to keep it up.

Now as to the two first causes of falling of rents, falling of interest has no influence at all. In the latter it has a great part, because it makes the money of England less, by making both Englishmen and foreigners withdraw or withhold their money; for that which is not let loose into trade is all one, whilst hoarded up, as if it were not in being.

I have heard it brought for a reason why interest should be reduced to four per cent., "that thereby the landholder, who bears the burthen of the public charge, may be in some degree eased by the falling of interest."

This argument will be but right, if you say it will ease the borrower, and lay the loss on the lender. But it concerns not the land in general, unless you will suppose all landholders in debt. But I hope we may yet think that men in England, who have land, have money too; and that landed men, as well as others, by their providence and good husbandry, accommodating their expenses to their income, keep themselves from going backwards in the world.

That which is urged, as most deserving consideration and remedy in the case is, "that it is hard and unreasonable, that one, who has mortgaged half his land, should yet pay taxes for the whole, whilst the mortgage goes away with the clear profit of a high interest." To this I answer,

1. That, if any man has run himself in debt for the service of his country, it is fit the public should reimburse him, and set him free. This is a care that becomes the public justice, that men, if they receive no rewards, should at least be kept from suffering, in having served their country. But I do not remember the polity of any nation, who altered their constitution in favour of those whose mismanagement had brought them behind-hand; possibly, as thinking the public little beholden to those who had misemployed the stock of their country in the excess of their private expenses, and by their example spread a fashion that carries ruin with it. Men's paying taxes of mortgaged lands is a punishment for ill husbandry, which ought to be discouraged: but it concerns very little the frugal and the thrifty.

2. Another thing to be said in reply to this is, that it is with gentlemen in the country, as with tradesmen in the city. If they will own titles to greater estates than really they have, it is their own faults, and there is no way left to help them from paying for them. The remedy is in their own hands, to discharge themselves when they please; and when they have once sold their land, and paid their debts, they will no longer pay taxes for what they own without being really theirs. There is another way also whereby they may be relieved, as well as a great many other inconveniencies remedied; and that is by a registry: for if the mortgages were registered, land-taxes might reach them, and order the lender to pay his proportion.

I have met with patrons of four per cent. who (amongst many other fine things they tell us of) affirm, "That if interest were reduced to four per cent. then some men would borrow money at this low

rate, and pay their debts; others would borrow more than they now do, and improve their land; others would borrow more, and employ it in trade and manufacture." Gilded words indeed, were there any thing substantial in them! These men talk as if they meant to show us not only the wisdom, but the riches of Solomon, and would make gold and silver as common as stones in the street: but at last, I fear, it will be but wit without money, and I wish it amount to that. It is without question, that could the countryman and the tradesman take up money cheaper than now they do, every man would be forward to borrow, and desire that he might have other men's money to employ to his advantage. I confess, those who contend for four per cent. have found out a way to set men's mouths a watering for money at that rate, and to increase the number of borrowers in England, if any body can imagine it would be an advantage to increase them. But to answer all their fine projects, I have but this one short question to ask them: Will four per cent. increase the number of the lenders? If it will not, as any man at the very first hearing will shrewdly suspect it will not, then all the plenty of money, these conjurers bestow upon us, for improvement of land, paying of debts, and advancement of trade, is but like the gold and silver which old women believe other conjurers bestow sometimes, by whole lapfuls, on poor credulous girls, which, when they bring to the light, is found to be nothing but withered leaves; and the possessors of it are still as much in want of money as ever.

Indeed, I grant it would be well for England, and I wish it were so, that the plenty of money were so great amongst us, that every man could borrow as much as he could use in trade for four per cent.; nay, that men could borrow as much as they could employ for six per cent. But even at that rate, the borrowers already are far more than the lenders. Why else doth the merchant, upon occasion, pay six per cent. and often above that rate, for brokerage? And why doth the country gentleman of 1000*l.* per ann. find it so difficult, with

all the security he can bring, to take up 1000*l.*? All which proceeds from the scarcity of money and bad security; two causes which will not be less powerful to hinder borrowing, after the lowering of interest; and I do not see how any one can imagine that reducing use to four per cent. should abate their force, or how lessening the reward of the lender, without diminishing his risk, should make him more forward and ready to lend. So that these men, whilst they talk that at four per cent. men would take up and employ more money to the public advantage, do but pretend to multiply the number of borrowers among us, of which it is certain we have too many already. While they thus set men a longing for the golden days of four per cent., methinks they use the poor indigent debtor, and needy tradesman, as I have seen prating jackdaws do sometimes their young, who, kawing and fluttering about the nest, set all their young ones a gaping, but, having nothing in their empty mouths but noise and air, leave them as hungry as before.

It is true these men have found out by a cunning project how, by the restraint of a law, to make the price of money one-third cheaper, and then they tell John a Nokes that he shall have 10,000*l.* of it to employ in merchandize, or clothing; and John a Stiles shall have 20,000*l.* more to pay his debts; and so distribute this money as freely as Diego did his legacies, which they are to have, even where they can get them. But till these men can instruct the forward borrowers where they shall be furnished, they have perhaps done something to increase men's desire, but not made money one jot easier to come by; and, till they do that, all this sweet jingling of money, in their discourses, goes just to the tune of "If all the world were oatmeal." Methinks these undertakers, whilst they have put men in hopes of borrowing more plentifully, at easier rates, for the supply of their wants and trades, had done better to have bethought themselves of a way how men need not borrow upon use at all: for this would be much more advantageous, and altogether as feasible. It is as easy to distribute twenty pair of shoes amongst thirty

men, if they pay nothing for them at all, as if they paid 4*s.* a pair; ten of them (notwithstanding the statute-rate should be reduced from 6*s.* to 4*s.* a pair) will be necessitated to sit still barefoot, as much as if they were to pay nothing for shoes at all. Just so it is in a country that wants money in proportion to trade. It is as easy to contrive how every man shall be supplied with what money he needs (*i. e.* can employ in improvement of land, paying his debts, and returns of his trade) for nothing, as for four per cent. Either we have already more money than the owners will lend, or we have not. If part of the money, which is now in England, will not be let at the rate interest is at present at, will men be more ready to lend, and borrowers be furnished for all those brave purposes more plentifully, when money is brought to four per cent.? If people do already lend all the money they have, above their own occasions, whence are those who will borrow more at four per cent. to be supplied? Or is there such plenty of money, and scarcity of borrowers, that there needs the reducing of interest to four per cent. to bring men to take it?

All the imaginable ways of increasing money in any country are these two: either to dig it in the mines of our own, or get it from our neighbours. That four per cent. is not of the nature of the deusing-rod, or *virgula divina*, able to discover mines of gold and silver, I believe will easily be granted me. The way of getting from foreigners is either by force, borrowing, or trade. And whatever ways, besides these, men may fancy, or propose, for increasing of money, (except they intend to set up for the philosopher's stone) would be much the same with a distracted man's device, that I knew, who, in the beginning of his distemper, first discovered himself to be out of his wits, by getting together and boiling a great number of groats, with a design, as he said, to make them plim, *i. e.* grow thicker. That four per cent. will raise armies, discipline soldiers, and make men valiant, and fitter to conquer countries, and enrich themselves with the spoils, I think was never pretended. And that it will not bring in more of our neighbour's money upon loan, than we have at present

among us, is so visible in itself, that it will not need any proof; the contenders for four per cent. looking upon it as an undeniable truth, and making use of it as an argument to show the advantage it will be to the nation, by lessening the use paid to foreigners, who upon falling of use will take home their money. And, for the last way of increasing our money, by promoting of trade, how much lowering of interest is the way to that, I have, I suppose, showed you already.

Having lately met with a little tract, entitled, "A Letter to a Friend concerning Usury," printed this present year, 1660; *which gives, in short, the arguments of some treatises, printed many years since, for the lowering of interest: it may not be amiss briefly to consider them.*

1. "An high interest decays trade. The advantage from interest is greater than the profit from trade, which makes the rich merchants give over, and put out their stock to interest, and the lesser merchants break."

Answ. This was printed in 1621, when interest was at ten per cent. And whether England had ever a more flourishing trade than at that time, must be left to the judgment of those who have considered the growing strength and riches of this kingdom in queen Elizabeth's and king James the First's reigns. Not that I impute it to high interest, but to other causes I have mentioned, wherein usury had nothing to do. But if this be thought an argument now in 1690, when the legal interest is six per cent., I desire those who think fit to make use of it, to name those rich merchants who have given over, and put out their stocks to interest.

2. "Interest being at ten per cent., and in Holland at six, our neighbour merchants undersell us."

Answ. The legal interest being here now at six per

cent., and in Holland not limited by law, our neighbour merchants undersell us, because they live more frugally, and are content with less profit.

3. "Interest being lower in Holland than in England, their contributions to war, works of piety, and all charges of the state, are cheaper to them than to us."

Answ. This needs a little explication. Contributions, greater or less, I understand; but contributions cheaper or dearer, I confess I do not. If they manage their wars and charges cheaper than we, the blame is not to be laid on high or low interest.

4. "Interest being so high, prevents the building of shipping, which is the strength and safety of our island, most merchant-ships being built in Holland."

Answ. Though this argument be now gone, such ships being prohibited by a law, I will help the author to one as good. The Dutch buy our rape-seed, make it into oil, bring it back to us, and sell it with advantage. This may be as well said to be from high interest here, and low there. But the truth is, the industry and frugality of that people make them content to work cheaper, and sell at less profit than their neighbours, and so get the trade from them.

5. "The high rate of usury makes land sell so cheap, being not worth more than fourteen or fifteen years' purchase; whereas in Holland, where interest is at six, it is worth above twenty-five. So that a low interest raises the price of land. Where money is dear, land is cheap."

Answ. This argument plainly confesses, that there is something else regulates the price of land besides the rate of interest; else, when money was at ten per cent. here, should land have been at ten years' purchase, whereas he confesses it then to have been at fourteen or fifteen. One may suppose, to favour his hypothesis, he was not forward to speak the most of it. And interest, as he says, being at six per cent. in Holland, land there should have sold, by that rule, for sixteen and an half year's purchase; whereas he says, it was worth about twenty-

five. And Mr. Manly says, p. 33, "That money in France being at seven per cent., noble land sells for thirty-four and thirty-five years' purchase, and ordinary land for twenty-five." So that the true conclusion from hence is, not what our author makes, but this, That it is not the legal interest, but something else, that governs the rate of land. I grant his position, That where money is dear, land is cheap, and *vice versa*. But it must be so by the natural not legal interest. For where money will be lent on good security at four or five per cent. it is a demonstration that there is more than will be ventured on ordinary credit in trade. And when this plenty becomes general, it is a sign there is more money than can be employed in trade; which cannot but put many upon seeking purchases, to lay it out in land, and so raise the price of land, by making more buyers than sellers.

6. "It is not probable lenders will call in their money, when they cannot make greater interest any where. Besides, their security upon land will be better."

Answer. Some unskilful and timorous men will call in their money; others put it into the bankers' hands. But the bankers and skilful will keep it up, and not lend it, but at the natural use, as we have shown. But how securities will be mended, by lowering of interest, is, I confess, beyond my comprehension.

Of raising our Coin.

Being now upon the consideration of interest and money, give me leave to say one word more on this occasion, which may not be wholly unseasonable at this time. I hear a talk up and down of raising our money, as a means to retain our wealth, and keep our money from being carried away. I wish those that use the phrase of raising our money had some clear notion annexed to it; and that then they would examine, "Whether, that being true, it would at all serve to those ends for which it is proposed?"

The raising of money, then, signifies one of these two things; either raising the value of our money, or raising the denomination of our coin.

The raising the value of money, or any thing else, is nothing but the making a less quantity of it exchange for any other thing than would have been taken for it before; *v. g.* If 5*s.* will exchange for, or (as we call it) buy a bushel of wheat; if you can make 4*s.* buy another bushel of the same wheat, it is plain the value of your money is raised, in respect of wheat, one-fifth. But thus nothing can raise or fall the value of your money, but the proportion of its plenty, or scarcity, in proportion to the plenty, scarcity, or vent of any other commodity with which you compare it, or for which you would exchange it. And thus silver, which makes the intrinsic value of money, compared with itself, under any stamp or denomination of the same or different countries, cannot be raised. For an ounce of silver, whether in pence, groats, or crown-pieces, stivers, or ducatoons, or in bullion, is, and always eternally will be, of equal value to any other ounce of silver, under what stamp or denomination soever; unless it can be shown that any stamp can add any new or better qualities to one parcel of silver, which another parcel of silver wants.

Silver, therefore, being always of equal value to silver, the value of coin, compared with coin, is greater, less, or equal, only as it has more, less, or equal silver in it: and in this respect, you can by no manner of way raise or fall your money. Indeed, most of the silver of the world, both in money and vessels, being alloyed, (*i. e.* mixed with some baser metals) fine silver, (*i. e.* silver separated from all alloy) is usually dearer than so much silver alloyed, or mixed with baser metals. Because, besides the weight of the silver, those who have need of fine (*i. e.* unmixed silver; as gilders, wire-drawers, &c.) must, according to their need, besides an equal weight of silver, mixed with other metals, give an overplus to reward the refiner's skill and pains. And in this case, fine silver and alloyed or mixed silver are

considered as two distinct commodities. But no money being coined here, or almost any where, of pure, fine silver, this concerns not the value of money at all; wherein an equal quantity of silver is always of the same value with an equal quantity of silver, let the stamp or denomination be what it will.

All then that can be done in this great mystery of raising money, is only to alter the denomination, and call that a crown now, which before, by the law, was but a part of a crown. For example: supposing, according to the standard of our law, 5*s.* or a crown, were to weigh an ounce, (as it does now, wanting about 16 grains) whereof one-twelfth were copper, and eleven-twelfths silver, (for thereabouts it is) it is plain here, it is the quantity of silver gives the value to it. For let another piece be coined of the same weight, wherein half the silver is taken out, and copper, or other alloy, put into the place, every one knows it will be worth but half as much. For the value of the alloy is so inconsiderable as not to be reckoned. This crown now must be raised, and from henceforth our crown-pieces coined one-twentieth lighter; which is nothing but changing the denomination, calling that a crown now, which yesterday was but a part, viz. nineteen-twentieths of a crown; whereby you have only raised 19 parts to the denomination formerly given to 20. For I think nobody can be so senseless as to imagine that 19 grains or ounces of silver can be raised to the value of 20; or that 19 grains or ounces of silver shall at the same time exchange for, or buy as much corn, oil, or wine, as 20; which is to raise it to the value of 20. For if 19 ounces of silver can be worth 20 ounces of silver, or pay for as much of any other commodity, then 18, 10, or one ounce may do the same. For if the abating one-twentieth of the quantity of the silver of any coin, does not lessen its value, the abating nineteen-twentieths of the quantity of the silver of any coin will not abate its value. And so a single three-pence, or a single penny, being called a crown, will buy as much spice, or silk, or any other commodity, as a crown-piece, which contains 20 or 60 times as much silver: which is an absurdity so

great, that I think nobody will want eyes to see, and sense to disown.

Now this raising your money, or giving a less quantity of silver the stamp and denomination of a greater, may be done two ways.

1. By raising one species of your money.

2. By raising all your silver coin, at once proportionably; which is the thing, I suppose, now proposed.

1. The raising of one species of your coin, beyond its intrinsic value, is done by coining any one species, (which in account bears such a proportion to the other species of your coin) with less silver in it than is required by that value it bears in your money.

For example: a crown with us goes for 60 pence, a shilling for 12 pence, a tester for 6 pence, and a groat for 4 pence; and accordingly, the proportion of silver in each of them, ought to be as 60, 12, 6, and 4. Now, if in the mint there should be coined groats, or testers, that, being of the same alloy with our other money, had but two-thirds of the weight that those species are coined at now; or else, being of the same weight, were so alloyed, as to have one-third of the silver, required by the present standard, changed into copper, and should thus, by law, be made current; (the rest of your silver money being kept to the present standard in weight and fineness) it is plain, those species would be raised one-third part; that passing for 6*d.* which had but the silver of 4*d.* in it; and would be all one, as if a groat should by law be made current for 6*d.* and every 6*d.* in payment pass for 9*d.* This is truly raising these species: but is no more in effect, than if the mint should coin clipped money; and has, besides the cheat that is put by such base, or light money, on every particular man that receives it, that he wants one-third of that real value, which the public ought to secure him, in the money it obliges him to receive, as lawful and current. It has, I say, this great and unavoidable inconvenience to the public, that, besides the opportunity it gives to domestic coiners to cheat you with lawful money, it puts it into the hands of foreigners to fetch

away your money, without any commodities for it. For if they find that two-penny weight of silver, marked with a certain impression, shall here in England be equivalent to 3*d.* weight, marked with another impression, they will not fail to stamp pieces of that fashion; and so importing that base and low coin, will, here in England, receive 3*d.* for 2*d.* and quickly carry away your silver in exchange for copper, or barely the charge of coinage.

This is unavoidable in all countries, where any one species of their money is disproportionate in its intrinsic value, (*i. e.* in its due proportion of silver to the rest of the money of that country) an inconvenience so certainly attending the allowance of any base species of money to be current, that the king of France could not avoid it, with all his watchfulness. For though, by edict, he made his 4 sols pieces (whereof 15 were to pass for a French crown, though 20 of them had not so much silver in them as was in a French crown-piece) pass in the inland parts of his kingdom, 15 for a crown in all payments; yet he durst not make them current in the sea-port towns, for fear that should give an opportunity to their importation. But yet this caution served not the turn: they were still imported; and by this means a great loss and damage brought upon his country. So that he was forced to cry them down, and sink them to near their intrinsic value. Whereby a great many particular men, who had quantities of that species in their hands, lost a great part of their estates; and every one, that had any, lost proportionably by it.

If we had groats, or sixpences, current by law amongst us, that wanted one-third of the silver, which they now have by the standard, to make them of equal value to our other species of money; who can imagine, that our neighbours would not presently pour in quantities of such money upon us, to the great loss and prejudice of the kingdom? The quantity of silver, that is in each piece, or species of coin, being that which makes its real and intrinsic value, the due proportions of silver ought to be kept in each species, according to the respective rate, set on each of them by law. And, when

this is ever varied from, it is but a trick to serve some present occasion; but is always with loss to the country where the trick is played.

2. The other way of raising money is by raising all your silver coin at once, the proportion of a crown, a shilling, and a penny, in reference to one another, being still kept, (viz. That a shilling shall weigh one-fifth of a crown-piece, and a penny-weight one-twelfth of a shilling, in standard silver) but out of every one of these you abate one-twentieth of the silver they were wont to have in them.

If all the species of money be, as it is called, raised, by making each of them to have one-twentieth less of silver in them than formerly, and so your whole money be lighter than it was; these following will be some of the consequences of it.

1. It will rob all creditors of one-twentieth (or five per cent.) of their debts, and all landlords one-twentieth of their quit-rents for ever; and in all other rents, as far as their former contracts reach, (of five per cent.) of their yearly income; and this without any advantage to the debtor, or farmer. For he, receiving no more pounds sterling for his land, or commodities, in this new lighter coin, than he should have done of your old and weightier money, gets nothing by it. If you say, Yes, he will receive more crown, half-crown, and shilling pieces, for what he now sells for new money, than he should have done, if the money of the old standard had continued; you confess your money is not raised in value, but in denomination: since what your new pieces want in weight must now be made up in their number. But, which way soever this falls, it is certain the public (which most men think ought to be the only reason of changing a settled law, and disturbing the common current course of things) receives not the least profit by it. Nay, as we shall see by and by, it will be a great charge and loss to the kingdom. But this, at first sight, is visible, That in all payments to be received upon precedent contracts, if your money be in effect raised, the receiver will lose five per cent. For money having been lent, and leases

and other bargains made, when money was of the same weight and fineness that it is now, upon confidence that under the same names of pounds, shillings, and pence, they should receive the same value, *i. e.* the same quantity of silver, by giving the denomination now to less quantities of silver by one-twentieth, you take from them five per cent. of their due.

When men go to market, to buy any other commodities with their new, but lighter money, they will find 20*s.* of their new money will buy no more of any commodity than 19 would before. For it not being the denomination, but the quantity of silver, that gives the value to any coin, 19 grains, or parts, of silver, however denominated or marked, will no more be worth, or pass for, or buy so much of any other commodity, as 20 grains of silver will, than 19*s.* will pass for 20*s.* If any one thinks a shilling, or a crown in name, has its value from the denomination, and not from the quantity of silver in it, let it be tried; and hereafter let a penny be called a shilling, or a shilling be called a crown. I believe nobody would be content to receive his debts or rents in such money: which, though the law should raise thus, yet he foresees he should lose eleven-twelfths by the one, and by the other four-fifths of the value he received; and would find his new shilling, which had no more silver in it than one-twelfth of what a shilling had before, would buy him of corn, cloth, or wine, but one-twelfth of what an old shilling would. This is as plainly so in the raising, as you call it, your crown to 5*s.* and 3*d.* or (which is the same thing) making your crown one-twentieth lighter in silver. The only difference is, that the loss is so great, (it being eleven-twelfths) that every body sees, and abhors it at first proposal; but, in the other (it being but one-twentieth, and covered with the deceitful name of raising our money) people do not readily observe it. If it be good to raise the crown-piece this way one-twentieth this week, I suppose it will be as good and profitable to raise it as much again the next week. For there is no reason, why it will not be as good to raise it again, another one-twentieth, the next week, and so on; wherein, if you pro-

ceed but ten weeks successively, you will, by new-year's day next, have every half-crown raised to a crown, to the loss of one-half of people's debts and rents, and the king's revenue, besides the confusion of all your affairs: and, if you please to go on in this beneficial way of raising your money, you may, by the same art, bring a penny-weight of silver to be a crown.

Silver, *i. e.* the quantity of pure silver, separable from the alloy, makes the real value of money. If it does not, coin copper with the same stamp and denomination, and see whether it will be of the same value. I suspect your stamp will make it of no more worth than the copper money of Ireland is, which is its weight in copper, and no more. That money lost so much to Ireland as it passed for above the rate of copper. But yet I think nobody suffered so much by it as he by whose authority it was made current.

If silver give the value, you will say, what need is there then of the charge of coinage? May not men exchange silver by weight for other things; make their bargains and keep their accounts in silver by weight? This might be done, but it has these inconveniencies:

1. The weighing of silver to every one we had occasion to pay it to would be very troublesome, for every one most carry about scales in his pocket.

2. Scales would not do the business; for, in the next place, every one cannot distinguish between fine and mixed silver: so that though he received the full weight, he was not sure he received the full weight of silver; since there might be a mixture of some of the base metals, which he was not able to discern. Those who have had the care and government of politic societies introduced coinage, as a remedy to those two inconveniencies. The stamp was a warranty of the public that, under such a denomination, they should receive a piece of such a weight, and such a fineness; that they should receive so much silver. And this is the reason why the counterfeiting the stamp is made highest crime, and has the weight of treason laid upon it: because the stamp is the public voucher of

trinsic value. The royal authority gives the stamp, the law allows and confirms the denomination, and both together give, as it were, the public faith, as a security, that sums of money contracted for under such denominations shall be of such a value, that is, shall have in them so much silver; for it is silver, and not names, that pays debts, and purchases commodities. If therefore I have contracted for twenty crowns, and the law then has required that each of those crowns should have an ounce of silver; it is certain my bargain is not made good; I am defrauded (and whether the public faith be not broken with me, I leave to be considered) if, paying me twenty crowns, the law allots them to be such as have but nineteen-twentieths of the silver they ought to have, and really had in them, when I made my contract.

2. It diminishes all the king's revenue five per cent. For though the same number of pounds, shillings, and pence are paid into the exchequer as were wont, yet these names being given to coin that have each of them one-twentieth less of silver in them; and that being not a secret concealed from strangers, no more than from his own subjects; they will sell the king no more pitch, tar, or hemp, for 20 shillings, after the raising your money, than they would before for 19: or, to speak in the ordinary phrase, they will raise their commodities five per cent. as you have raised your money five per cent. And it is well if they stop there. For usually in such change, an outcry being made of you, lessening your coin, those, who have to deal with your taking the advantage, of the alarm, to secure themselves from any loss by your new trick, raise their price even beyond the par of your lessening your coin.

I hear of two inconveniencies complained of, which it is proposed by this project to remedy.

The one is, the melting down of our coin: the other, the carrying away of our bullion. These are both inconveniencies which, I fear, we lie under: but neither of them will be in the least removed, or prevented, by the proposed alteration of our money.

1. It is past doubt that our money is melted down The reason whereof is evidently the cheapness of coinage. For a tax on wine paying the coinage, the particular owners pay nothing for it. So that 100 ounces of silver coined come to the owner at the same rate as 100 ounces of standard silver in bullion. For delivering into the mint his silver in bars, he has the same quantity of silver delivered out to him again in coin, without any charges to him. Whereby, if at any time he has occasion for bullion, it is the same thing to melt down our milled money, as to buy bullion from abroad, or take it in exchange for other commodities. Thus our mint, to the only advantage of our officers, but at the public cost, labours in vain, as will be found. But yet this makes you not have one jot less money in England than you would have otherwise; but only makes you coin that, which otherwise would not have been coined, nor perhaps been brought hither: and, being not brought hither by an over-balance of your exportation, cannot stay when it is here. It is not any sort of coinage does or can keep your money here; that wholly and only depends upon the balance of your trade. And had all the money in king Charles the Second's and king James the Second's time been minted, according to this new proposal, this raised money would have been gone, as well as the other, and the remainder been no more, nor no less than it is now. Though I doubt not but the mint would have coined as much of it as it has of our present milled money. The short is this: an overbalance of trade with Spain brings you in bullion; cheap coinage, when it is here, carries it into the mint, and money is made of it; but, if your exportation will not balance your importation in other parts of your trade, away must your silver go again, whether monied or not monied. For where goods do not, silver must, pay for the commodities you spend.

That this is so will appear by the books of the mint, where may be seen how much milled money has been coined in the two last reigns. And in a paper I have now in my hands (supposed written by a man not wholly

ignorant in the mint) it is confessed, that whereas one-third of the current payments were some time since of milled money, there is not now one-twentieth. Gone then it is: but let not any one mistake, and think it gone because in our present coinage an ounce wanting about 16 grains is denominated a crown: or that (as is now proposed) an ounce wanting about 40 grains, being coined in one piece, and denominated a crown, would have stopped it, or will (if our money be so altered) for the future fix it here. Coin what quantity of silver you please in one piece, and give it the denomination of a crown; when your money is to go, to pay your foreign debts, (or else it will not go out at all) your heavy money (*i. e.* that which is weight according to its denomination, by the standard of the mint) will be that which will be melted down, or carried away in coin by the exporter, whether the pieces of each species be by the law bigger or less. For, whilst coinage is wholly paid for by a tax, whatever your size of money be, he that has need of bullion to send beyond sea, or of silver to make plate, need but take milled money and melt it down, and he has it as cheap as if it were in pieces of eight, or other silver coming from abroad; the stamp, which so well secures the weight of the milled money, costing nothing at all.

To this perhaps will be said, That if this be the effect of milled money, that it is so apt to be melted down, it were better to return to the old way of coining by the hammer. To which I answer, by no means. For,

1. Coinage by the hammer less secures you from having a great part of your money melted down. For in that way there being a greater inequality in the weight of the pieces, some being too heavy, and some too light; those, who know how to make their advantage of it, cull out the heavy pieces, melt them down, and make a benefit of the over-weight.

2. Coinage by the hammer exposes you much more to the danger of false coin. Because the tools are easily made and concealed, and the work carried on with fewer hands and less noise than a mill; whereby false coiners are less liable to discovery.

3. The pieces not being so round, even, and fairly stamped, nor marked on the edges, are exposed to clipping, which milled money is not.

Milled money is, therefore, certainly best for the public. But, whatever be the cause of melting down our milled money, I do not see how raising our money (as they call it) will at all hinder its being melted down. For if our crown-pieces should be coined one-twentieth lighter, why should that hinder them from being melted down, more than now? The intrinsic value of the silver is not altered, as we have shown already: therefore that temptation to melt them down remains the same as before.

"But they are lighter by one-twentieth." That cannot hinder them from being melted down. For half-crowns are lighter by half, and yet that preserves them not.

"But they are of less weight under the same denomination, and therefore they will not be melted down." That is true, if any of these present crowns, that are one-twentieth heavier, are current for crowns at the same time. For then they will no more melt down the new light crowns, than they will the old clipped ones, which are no more worth in coin and tale, than in weight and bullion. But it cannot be supposed that men will part with their old and heavier money at the same rate that the lighter new coin goes at, and pay away their old crowns for *5s.* in tale, when at the mint they will yield them *5s. 3d.* And then if an old milled crown goes for *5s. 3d.* and a new milled crown (being so much lighter) goes for a crown, What, I pray, will be the odds of melting down the one or the other? The one has one-twentieth less silver in it, and goes for one-twentieth less; and so being weight, they are melted down upon equal terms. If it be a convenience to melt one, it will be as much a convenience to melt the other; just as it is the same convenience to melt milled half-crowns as milled crowns, the one having, with half the quantity of silver, half the value. When the money is all brought to the new rate, *i. e.* to be one-twentieth lighter, and commodities raised as they will propor-

tionably, what shall hinder the melting down of your money then, more than now, I would fain know? If it be coined then, as it is now, gratis, a crown-piece, (let it be of what weight soever) will be, as it is now, just worth its own weight in bullion of the same fineness; for the coinage which is the manufactory about it, and makes all the difference, costing nothing, what can make the difference of value? And therefore, whoever wants bullion, will as cheaply melt down these new crowns, as buy bullion with them. The raising of your money cannot then (the act for free coinage standing) hinder its being melted down.

Nor, in the next place, much less can it, as it is pretended, hinder the exportation of our bullion. Any denomination, or stamp, we shall give to silver here, will neither give silver a higher value in England, nor make it less prized abroad. So much silver will always be worth (as we have already showed) so much silver, given in exchange one for another. Nor will it, when in your mint a less quantity of it is raised to a higher denomination (as when nineteen-twentieths of an ounce has the denomination of a crown, which formerly belonged only to the whole 20) be one jot raised, in respect of any other commodity.

You have raised the denomination of your stamped silver one-twentieth, or, which is all one, five per cent. And men will presently raise their commodities five per cent. So that if yesterday 20 crowns would exchange for twenty bushels of wheat, or 20 yards of a certain sort of cloth, if you will to-day coin current crowns one-twentieth lighter, and make them the standard, you will find 20 crowns will exchange for but 19 bushels of wheat, or 19 yards of that cloth, which will be just as much silver for a bushel as yesterday. So that silver being of no more real value, by your giving the same denomination to a less quantity of it; this will no more bring in, or keep your bullion here, than if you had done nothing. If this were otherwise, you would be beholden (as some people foolishly imagine) to the clippers for keeping your money. For if keeping the old denomination to a less quantity of silver be raising your money

(as in effect it is all that is or can be done in it, by this project of making your coin lighter) the clippers have sufficiently done that: and, if their trade go on a little while longer, at the rate it has of late, and your milled money be melted down and carried away, and no more coined; your money will, without the charge of new coinage, be, by that sort of artificers, raised above five per cent. when all your current money shall be clipped, and made above one-twentieth lighter than the standard, preserving still its former denomination.

It will possibly be here objected to me, That we see 100*l.* of clipped money, above five per cent. lighter than the standard, will buy as much corn, cloth, or wine, as 100*l.* in milled money, which is above one-twentieth heavier: whereby it is evident that my rule fails, and that it is not the quantity of silver that gives the value to money, but its stamp and denomination. To which I answer, That men make their estimate and contracts according to the standard, upon supposition they shall receive good and lawful money, which is that of full weight: and so in effect they do, whilst they receive the current money of the country. For since 100*l.* of clipped money will pay a debt of 100*l.* as well as the weightiest milled money; and a new crown out of the mint will pay for no more flesh, fruit, or cloth, than five clipped shillings; it is evident that they are equivalent as to the purchase of any thing here at home, whilst nobody scruples to take five clipped shillings in exchange for a weighty milled crown. But this will be quite otherwise as soon as you change your coin, and (to raise it as you call it) make your money one-twentieth lighter in the mint; for then nobody will any more give an old crown of the former standard for one of the new, than he will now give you 5*s.* and 3*d.* for a crown: for so much then his old crown will yield him at the mint.

Clipped and unclipped money will always buy an equal quantity of any thing else, as long as they will without scruple change one for another. And this makes that the foreign merchant, who comes to sell his goods to you, always counts upon the value of your money,

by the silver that is in it, and estimates the quantity of silver by the standard of your mint; though perhaps by reason of clipped or worn money amongst it, any sum that is ordinarily received is much lighter than the standard, and so has less silver in it than what is in a like sum, new coined in the mint. But whilst clipped and weighty money will equally change one for another, it is all one to him, whether he receives his money in clipped money or no, so it be but current. For if he buy other commodities here with his money, whatever sum he contracts for, clipped as well as weighty money equally pays for it. If he would carry away the price of his commodity in ready cash, it is easily changed into weighty money: and then he has not only the sum in tale that he contracted for, but the quantity of silver he expected, for his commodities, according to the standard of our mint. If the quantity of your clipped money be once grown so great, that the foreign merchant cannot (if he has a mind to it) easily get weight money for it, but having sold his merchandize, and received clipped money, finds a difficulty to procure what is weight for it; he will, in selling his goods, either contract to be paid in weighty money, or else raise the price of his commodity, according to the diminished quantity of silver in your current coin.

In Holland (ducatoons being the best money of the country, as well as the largest coin) men in payments received and paid those indifferently with the other money of the country; till of late the coining of other species of money, of baser alloy, and in greater quantities, having made the ducatoons, either by melting down, or exportation, scarcer than formerly, it became difficult to change the baser money into ducatoons; and since that, nobody will pay a debt in ducatoons, unless he be allowed half per cent. or more, above the value they were coined for.

To understand this, we must take notice, That guilders is the denomination that in Holland they usually compute by, and make their contracts in. A ducatoon formerly passed at three guilders and three stivers, or sixty-three stivers. There were then (some years since)

begun to be coined another piece, which was called a three guilders piece, and was ordered to pass for three guilders, or sixty stivers. But 21 three guilders pieces, which were to pass for 63 guilders, not having so much silver in them as 20 ducatoons, which passed for the same sum of 63 guilders, the ducatoons were either melted down in their mints (for the making of these three guilders pieces, or yet baser money, with profit) or were carried away by foreign merchants; who, when they carried back the product of their sale in money, would be sure to receive their payment of the number of guilders they contracted for in ducatoons, or change the money they received into ducatoons: whereby they carried home more silver than if they had taken their payment in three guilders pieces, or any other species. Thus ducatoons became scarce. So that now, he that will be paid in ducatoons, must allow half per cent. for them. And therefore the merchants, when they sell any thing now, either make their bargain to be paid in ducatoons; or, if they contract for guilders in general, (which will be sure to be paid them in the baser money of the country) they raise the price of their commodities accordingly.

By this example, in a neighbour country, we may see how our new milled money goes away. When foreign trade imports more than our commodities will pay for, it is certain we must contract debts beyond sea, and those must be paid with money, when either we cannot furnish, or they will not take our goods to discharge them. To have money beyond sea to pay our debts, when our commodities do not raise it, there is no other way but to send it thither. And since a weighty crown costs no more here than a light one, and our coin beyond sea is valued no otherwise than according to the quantity of silver it has in it, whether we send it in specie, or whether we melt it down here to send it in bullion, (which is the safest way, as not being prohibited) the weightiest is sure to go. But when so great a quantity of your money is clipped, or so great a part of your weighty money is carried away, that the foreign merchant, or his factor here, cannot have his

price paid in weighty money, or such as will easily be changed into it, then every one will see (when men will no longer take five clipped shillings for a milled or weighty crown) that it is the quantity of silver that buys commodities and pays debts, and not the stamp and denomination which is put upon it. And then too it will be seen what a robbery is committed on the public by clipping. Every grain diminished from the just weight of our money is so much loss to the nation, which will one time or other be sensibly felt; and which, if it be not taken care of, and speedily stopped, will, in that enormous course it is now in, quickly, I fear, break out into open ill effects, and at one blow deprive us of a great part (perhaps near one-fourth) of our money. For that will be really the case, when the increase of clipped money makes it hard to get weighty: when men begin to put a difference of value between that which is weighty and light money; and will not sell their commodities, but for money that is weight, and will make their bargains accordingly.

Let the country gentleman, when it comes to that pass, consider what the decay of his estate will be! When receiving his rent in the tale of clipped shillings, according to his bargain, he cannot get them to pass at market for more than their weight. And he that sells him salt, or silk, will bargain for *5s.* such a quantity, if he pays him in fair weighty coin, but in clipped money he will not take under *5s. 3d.* Here you see you have your money, without this new trick of coinage, raised five per cent; but whether to any advantage of the kingdom, I leave every one to judge.

Hitherto we have only considered the raising of silver coin, and that has been only by coining it with less silver in it, under the same denomination. There is another way yet of raising money, which has something more of reality, though as little good in it as the former. This too, now that we are upon the chapter of raising money, it may not be unseasonable to open a little. The raising I mean is, when either of the two richer metals (which money is usually made of) is by law raised above its natural value, in respect of the

other. Gold and silver have, in almost all ages and parts of the world (where money was used) generally been thought the fittest materials to make it of. But there being a great disproportion in the plenty of these metals in the world, one has always been valued much higher than the other; so that one ounce of gold has exchanged for several ounces of silver: as at present, our guinea passing for 21*s.* 6*d.* in silver, gold is now about fifteen and a half times more worth than silver: there being about fifteen and a half times more silver in 21*s.* 6*d.* than there is gold in a guinea. This being now the market rate of gold to silver; if by an established law the rate of guineas should be set higher, (as to 22*s.* 6*d.*) they would be raised indeed, but to the loss of the kingdom. For by this law, gold being raised five per cent. above its natural true value, foreigners would find it worth while to send their gold hither, and so fetch away our silver at five per cent. profit, and so much loss to us. For when so much gold as would purchase but 100 ounces of silver any where else will in England purchase the merchant 105 ounces, what shall hinder him from bringing his gold to so good a market; and either selling it at the mint, where it will yield so much, or having it coined into guineas? And then (going to market with his guineas) he may buy our commodities at the advantage of five per cent. in the very sort of his money; or change them into silver, and carry that away with him.

On the other side, if by a law you would raise your silver money, and make four crowns, or 20*s.* in silver, equal to a guinea, at which rate I suppose it was first coined, so that by your law a guinea should pass but for 20*s.*, the same inconveniency would follow. For then strangers would bring in silver and carry away your gold, which was to be had here at a lower rate than any where else.

If you say, that this inconvenience is not to be feared; for that as soon as people found that gold began to grow scarce, or that it was more worth than the law set upon it, they would not then part with it at the statute rate, as we see the broad pieces that were coined in

king James the First's time for 20*s.* nobody will now part with under 23*s.* or more, according to the market value; this I grant is true, and it does plainly confess the foolishness of making a law, which cannot produce the effect it is made for: as indeed it will not, when you would raise the price of silver, in respect of gold, above its natural market value: for then, as we see in our gold, the price of it will raise itself. But, on the other side, if you should by a law set the value of gold above its par; then people would be bound to receive it at that high rate, and so part with their silver at an under value. But supposing, that having a mind to raise your silver in respect of gold, you make a law to do it, what comes of that? If your law prevail, only this; that, as much as you raise silver, you debase gold, (for they are in the condition of two things, put in opposite scales, as much as the one rises the other falls) and then your gold will be carried away with so much clear loss to the kingdom, as you raise silver and debase gold by your law, below their natural value. If you raise gold in proportion to silver, the same effect follows.

I say, raise silver in respect of gold, and gold in proportion to silver. For, when you would raise the value of money, fancy what you will, it is but in respect of something you would change it for; and is done only when you can make a less quantity of the metal, which your money is made of, change for a greater quantity of that thing which you would raise it to.

The effect indeed, and ill consequence of raising either of these two metals, in respect of the other, is more easily observed, and sooner found in raising gold than silver coin: because your accounts being kept, and your reckonings all made in pounds, shillings, and pence, which are denominations of silver coins, or numbers of them; if gold be made current at a rate above the free and market value of those two metals, every one will easily perceive the inconvenience. But there being a law for it, you cannot refuse the gold in payment for so much. And all the money, or bullion, people will carry beyond sea from you, will be in silver; and the money, or bullion, brought in, will be in gold. And

just the same will happen, when your silver is raised and gold debased, in respect of one another, beyond their true and natural proportion: (natural proportion or value I call that respective rate they find, any where, without the prescription of law.) For then silver will be that which is brought in, and gold will be carried out; and that still with loss to the kingdom, answerable to the over-value set by the law. Only as soon as the mischief is felt, people will (do what you can) raise the gold to its natural value. For your accounts and bargains being made in the denomination of silver money, if, when gold is raised above its proportion, by the law, you cannot refuse it in payment (as if the law should make a guinea current at *22s.* 6*d.*) you are bound to take it at that rate in payment. But if the law should make guineas current at 20*s.*, he that has them is not bound to pay them away at that rate, but may keep them, if he pleases, or get more for them, if he can: yet, from such a law, one of these things will follow. Either, 1st, The law forces them to go at 20*s.* and then being found passing at that rate, foreigners make their advantage of it: Or, 2dly, People keep them up, and will not part with them at the legal rate, understanding them really to be worth more, and then all your gold lies dead, and is of no more use to trade than if it were all gone out of the kingdom: Or, 3dly, It passes for more than the law allows, and then your law signifies nothing, and had been better let alone. Which way soever it succeeds, it proves either prejudicial or ineffectual. If the design of your law takes place, the kingdom loses by it: if the inconvenience be felt and avoided, your law is eluded.

Money is the measure of commerce, and of the rate of every thing, and therefore ought to be kept (as all other measures) as steady and invariable as may be. But this cannot be, if your money be made of two metals, whose proportion, and, consequently, whose price, constantly varies in respect to one another. Silver, for many reasons, is the fittest of all metals to be this measure; and therefore generally made use of for money. But *then it is* very unfit and inconvenient that gold, or any

other metal, should be made current, legal money, at a standing, settled rate. This is to set a rate upon the varying value of things by law, which justly cannot be done; and is, as I have showed, as far as it prevails, a constant damage and prejudice to the country, where it is practised. Suppose fifteen to one be now the exact par between gold and silver, what law can make it lasting; and establish it so, that next year, or twenty years hence, this shall be the just value of gold to silver: and that one ounce of gold shall be just worth fifteen ounces of silver, neither more nor less? It is possible, the East India trade sweeping away great sums of gold, may make it scarcer in Europe. Perhaps the Guinea trade, and mines of Peru, affording it in greater abundance, may make it more plentiful; and so its value, in respect of silver, come on the one side to be as sixteen, or, on the other, as fourteen to one. And can any law you shall make alter this proportion here, when it is so every where else round about you? If your law set it at fifteen, when it is, at the free market rate, in the neighbouring countries, as sixteen to one; will they not send hither their silver to fetch away your gold at one sixteen loss to you? Or if you will keep its rate to silver as fifteen to one, when in Holland, France, and Spain, its market value is but fourteen; will they not send hither their gold, and fetch away your silver, at one fifteen loss to you? This is unavoidable, if you will make money of both gold and silver, at the same time, and set rates upon them by law, in respect of one another.

What then! (will you be ready to say) Would you have gold kept out of England? Or, being here, would you have it useless to trade; and must there be no money made of it? I answer, quite the contrary. It is fit the kingdom should make use of the treasure it has. It is necessary your gold should be coined, and have the king's stamp upon it, to secure men in receiving it, that there is so much gold in each piece. But it is not necessary that it should have a fixed value set on it by public authority: it is not convenient that it should in its varying proportion, have a settled price. Let gold,

as other commodities, find its own rate. And when, by the king's image and inscription, it carries with it a public assurance of its weight and fineness; the gold money, so coined, will never fail to pass at the known market rates, as readily as any other species of your money. Twenty guineas, though designed at first for 20*l.*, go now as current for 21*l.* 10*s.* as any other money, and sometimes for more, as the rate varies. The value, or price, of any thing, being only the respective estimate it bears to some other, which it comes in competition with, can only be known by the quantity of the one which will exchange for a certain quantity of the other. There being no two things in nature whose proportion and use does not vary, it is impossible to set a standing, regular price between them. The growing plenty, or scarcity, of either in the market, (whereby I mean the ordinary place where they are to be had in traffic) or the real use, or changing fashion of the place, bringing either of them more into demand than formerly, presently varies the respective value of any two things. You will as fruitlessly endeavour to keep two different things steadily at the same price one with another, as to keep two things in an equilibrium, where their varying weights depend on different causes. Put a piece of sponge in one scale, and an exact counterpoise of silver in the other; you will be mightily mistaken if you imagine, that because they are to-day equal, they shall always remain so. The weight of the sponge varying with every change of moisture in the air, the silver, in the opposite scale, will sometimes rise and sometimes fall. This is just the state of silver and gold, in regard of their mutual value. Their proportion, or use, may, nay constantly does vary, and with it their price. For, being estimated one in reference to the other, they are, as it were, put in opposite scales; and as the one rises the other falls, and so on the contrary.

Farthings, made of a baser metal, may on this account too deserve your consideration. For whatsoever coin you make current, above the intrinsic value, will always be damage to the public, whoever get by it. But of this I shall not, at present, enter into a more

particular inquiry; only this I will confidently affirm, that it is the interest of every country, that all the current money of it should be of one and the same metal; that the several species should be of the same alloy, and none of a baser mixture: and that the standard, once thus settled, should be inviolably and immutably kept to perpetuity. For whenever that is altered, upon what pretence soever, the public will lose by it.

Since then it will neither bring us in more money, bullion, or trade; nor keep what we have here, nor hinder our weighty money, of what denomination soever, from being melted; to what purpose should the kingdom be at the charge of coining all our money anew? For I do not suppose any body can propose that we should have two sorts of money, at the same time, one heavier and the other lighter, as it comes from the mint; that is very absurd to imagine. So that if all your old money must be coined over again; it will indeed be some advantage, and that a very considerable one, to the officers of the mint. For they being allowed *3s. 6d.* (it should be sixteen-pence halfpenny), for the coinage of every pound troy, which is very near five and a half per cent., if our money be six millions, and must be coined all over again, it will cost the nation to the mint three hundred thirty thousand pounds. One hundred thirty thousand pounds, if the clipped money must escape, because it is already as light as your new standard; do you not own that this design of new coinage is just of the nature of clipping?

This business of money and coinage is by some men, and amongst them some very ingenious persons, thought a great mystery, and very hard to be understood. Not that truly in itself it is so, but because interested people, that treat of it, wrap up the secret they make advantage of in a mystical, obscure, and unintelligible way of talking; which men, from a pre-conceived opinion of the difficulty of the subject, taking for sense, in a matter not easy to be penetrated, but by the men of art, let pass for current, without examination. Whereas, would they look into those discourses, and inquire what meaning their words have, they would

find, for the most part, either their positions to be false, their deductions to be wrong, or (which often happens) their words to have no distinct meaning at all. Where none of these be, there their plain, true, honest sense, would prove very easy and intelligible, if expressed in ordinary and direct language.

That this is so, I shall show, by examining a printed sheet on this subject, entitled, Remarks on a Paper given in to the Lords, &c.

Rem. "It is certain, That what place soever will give most for silver by weight, it will thither be carried and sold: and if of the money which now passes in England, there can be *5s. 5d.* the ounce given for standard silver at the mint, when but *5s. 4d.* of the very same can be given elsewhere for it, it will certainly be brought to the mint; and when coined, cannot be sold (having one penny over-value set upon it by the ounce) for the same that other plate may be bought for, so will be left unmelted; at least, it will be the interest of any exporter to buy plate to send out, before money; whereas now it is his interest to buy money to send out before plate."

Answ. The author would do well to make it intelligible, how, "of the money that now passes in England, at the mint can be given *5s. 5d.* the ounce for standard silver, when but *5s. 4d.* of the same money can be given elsewhere for it." Next, "How it has one penny over-value set upon it by the ounce, so that, when coined, it cannot be sold." This, to an ordinary reader, looks very mysterious; and, I fear, is so, as either signifying nothing at all, or nothing that will hold. For,

1. I ask, Who it is at the mint, that "can give *5s. 5d.* the ounce for standard silver, when nobody else can give above *5s. 4d.*?" Is it the king, or is it the master-worker, or any of the officers? For to give *5s. 5d.* for what will yield but *5s. 4d.* to any body else, is to give one-sixty-fifth part more than it is worth. For so much every thing is worth as it will yield. And I do not see how this can turn to account to the king, or be borne by any body else.

2. I ask, How a penny over-value can be set upon it by the ounce, so "that it cannot be sold?" This is so mysterious, that I think it near impossible. For an equal quantity of standard silver will always be just worth an equal quantity of standard silver. And it is utterly impossible to make sixty-four parts of standard silver equal to, or worth, sixty-five parts of the same standard silver; which is meant by "setting a penny over-value upon it by the ounce," if that has any meaning at all. Indeed, by the workmanship of it, sixty-four ounces of standard silver may be made not only worth sixty-five ounces, but seventy or eighty. But the coinage, which is all the workmanship here, being paid for by a tax, I do not see how that can be reckoned at all: or if it be, it must raise every *5s. 4d.* coined to above *5s. 5d.* If I carry sixty-four ounces of standard silver in bullion to the mint to be coined, shall I not have just 64 ounces back again for it in coin? And if so, can these sixty-four ounces of coined standard silver be possibly made worth sixty-five ounces of the same standard silver uncoined, when they cost me no more; and I can, for barely going to the mint, have sixty-four ounces of standard silver in bullion turned into coin? Cheapness of coinage in England, where it costs nothing, will indeed make money be sooner brought to the mint than any where else; because there I have the convenience of having it made into money for nothing. But this will no more keep it in England than if it were perfect bullion. Nor will it hinder it from being melted down, because it cost no more in coin than in bullion: and this equally, whether your pieces of the same denomination be lighter, heavier, or just as they were before. This being explained, it will be easy to see whether the other things said in the same paragraph be true or false, and particularly, whether "it will be the interest of every exporter to buy plate to send out before money."

Rem. "It is only barely asserted, That if silver be raised at the mint, that it will rise elsewhere above it; but can never be known till it be tried."

Answ. The author tells us, in the last paragraph, that silver that is worth "but *5s. 2d.* per ounce at the mint, is worth *5s. 4d.* elsewhere." This, how true, or what inconvenience it hath, I will not here examine. But, be the inconvenience of it what it will, this raising the money he proposes as a remedy: and to those who say, upon raising our money, silver will rise too, he makes this answer, that "it can never be known whether it will or no, till it be tried." To which I reply, That it may be known as certainly without trial, as it can, that two pieces of silver that weighed equally yesterday, will weigh equally again to-morrow in the same scales.

"There is silver (says our author) whereof an ounce (*i. e.* 480 grains) will change for *5s. 4d.*" (*i. e.* 496 grains) of our standard silver coined. To-morrow you coin your money lighter; so that then *5s. 4d.* will have but 472 grains of coined standard silver in it. Can it not then be known, without trial, whether that ounce of silver, which to-day will change for 496 grains of standard silver coined, will change to-morrow but for 472 grains of the same standard silver coined? Or can any one imagine that 480 grains of the same silver, which to-day are worth 496 grains of our coined silver, will to-morrow be worth but 472 grains of the same silver, a little differently coined? He that can have a doubt about this till it be tried, may as well demand a trial to be made, to prove that the same thing is equiponderant, or equivalent to itself. For I think it is as clear, that 472 grains of silver are equiponderant to 496 grains of silver, as that an ounce of silver, that is to-day worth 496 grains of standard silver, should to-morrow be worth but 472 grains of the same standard silver, all circumstances remaining the same, but the different weight of the pieces stamped: which is that our author asserts, when he says, That it is only barely asserted, &c. What has been said to this may serve also for an answer to the next paragraph. Only I desire it may be taken notice of, that the author seems to insinuate, that silver goes not in England as in foreign parts, by weight: which is a very dangerous, as well

as false position; and which, if allowed, may let into our mint what corruption and debasing of our money one pleases.

Rem. "That our trade hath heretofore furnished us with an overplus, brought home in gold and silver, is true: but that we bring home from any place more goods than we now export to it, I do not conceive to be so. And more goods might be sent to those parts; but by reason of the great value of silver in this part of the world, more money is to be got by exporting silver than by any other thing that can be sent, and that is the reason of it. And for its being melted down, and sent out, because it is so heavy, is not by their paper denied."

Answ. "That we bring home from any place more goods than we now export, (the author tells us) he doth not conceive."

Would he had told us a reason for his conceit! But since the money of any country is not presently to be changed, upon any private man's groundless conceit, I suppose this argument will not be of much weight with many men. I make bold to call it a groundless conceit; for if the author please to remember the great sums of money are carried every year to the East Indies, for which we bring home consumable commodities; (though I must own it pays us again with advantage) or if he will examine how much only two commodities, wholly consumed here, cost us yearly in money, (I mean Canary wine and currants) more than we pay for, with goods exported to the Canaries and Zant; besides the over-balance of trade upon us in several other places, he will have little reason to say, "he doth not conceive we bring home from any place more goods than we now export to it."

As to what he says concerning the "melting down and exporting our money, because it is heavy:" if by heavy he means, because our crown-pieces (and the rest of our species of money in proportion) are 23 or 24 grains heavier than he would have them coined: this, whoever grants it, I deny upon grounds which, I suppose, when examined, will be found clear and evident.

Indeed, when your debts beyond sea, to answer the over-balance of foreign importations, call for your money, it is certain the heavy money, which has the full standard weight, will be melted down and carried away; because foreigners value not your stamp or denomination, but your silver.

He would do well to tell us what he means by "the great value of silver in this part of the world." For he speaks of it as a cause that draws away our money more now than formerly, or else it might as well have been omitted as mentioned in this place: and if he mean, by this part of the world, England; it is scarce sense to say, that the great value of silver in England should draw silver out of England. If he means the neighbouring countries to England, he should have said it, and not doubtfully this part of the world. But let him, by this part of the world, mean what he will, I dare say every one will agree, that silver is not more valued in this than any other part of the world, nor in this age more than in our grandfathers' days.

I am sorry, if it be true, what he tells us, That "more money is to be got by exportation of silver than by any other thing that can be sent." This is an evidence that "we bring home more goods than we export." For till that happens, and has brought us in debt beyond sea, silver will not be exported; but the overplus of people's gain being generally laid up in silver, it will be brought home in silver; and so our people will value it as much as any other, in this part of the world.

The truth of the case in short is this. Whenever we, by a losing trade, contract debts with our neighbours, they will put a great value on our silver, and "more money will be got by transporting silver than any thing can be sent:" which comes about thus: Suppose that by an over-balance of their trade (whether by a sale of pepper, spices, and other East India commodities, it matters not) we have received great quantities of goods, within these two or three months from Holland, and sent but little thither; so that the accounts balanced between the inhabitants of England and the

United Provinces, we of England were a mlllion in their debt: what would follow from hence? This; That these Dutch creditors, desiring to have what is due to them, give orders to their factors and correspondents here, to return it to them. For inquiring as we do, what are the effects of an over-balance of trade, we must not suppose they invest their debts in commodities, and return their effects that way. A million then being to be returned from England to Holland in money, every one seeks bills of exchange; but Englishmen not having debts in Holland to answer this million, or any the least part of it, bills are not to be got. This presently makes the exchange very high: upon which the bankers, &c. who have the command of great quantities of money and bullion, send that away to Holland in specie, and so take money here to pay it again there, upon their bills, at such a rate of exchange as gives them five, ten, fifteen, &c. per cent. profit: and thus sometimes a *5s.* piece of our milled money may truly be said to be worth *5s. 3d. 4d. 6d. 9d.* in Holland. And if this be "the great value of silver in this part of the world," I easily grant it him. But this great value is to be remedied, not by the alteration of our mint, but by the regulation and balance of our trade. For be your coin what it will, our neighbours, if they over-balance us in trade, will not only have a great value for our silver, but get it too; and there will be "more to be got by exporting silver to them than by any other thing can be sent."

Rem. "The alterations of the coins in Spain and Portugal are no way at all like this. For there they altered in denomination near half, to deceive those they paid, with paying those, to whom they owed one ounce of silver, but half an ounce for it. But in the alteration here designed, to whoever an ounce of silver was owing, an ounce will be paid in this money; it being here only designed, that an ounce of money should equal an ounce of silver in value, at home as well as abroad, which now it does not."

Answ. In this paragraph the author confesses the alteration of the coin in Spain and Portugal was a cheat;

but the "alteration here designed, he says, is not:" but the reason he gives for it is admirable: viz. "Because they there altered in denomination near half," and here denomination is altered but five per cent. for so in truth it is, whatever be designed. As if fifty per cent. were a cheat, but five per cent. were not; because perhaps less perceivable. For the two things, that are pretended to be done here by this new coinage, I fear will both fail, viz. 1. That "to whomsoever an ounce of silver is owing, an ounce of silver shall be paid in this money." For when an ounce of silver is coined, as is proposed, into *5s. 5d.* (which is to make our money five per cent. lighter than it is now) I that am to receive 100*l.* per ann. fee-farm rent; shall I in this new money receive 105*l.* or barely 100*l.*? The first I think will not be said. For if by law you have made it 100*l.*, it is certain the tenant will pay me no more. If you do not mean that 400 crowns, or 2000 shillings of your new coin shall be 100*l.*, but there must be five per cent. in tale added to every 100, you are at the charge of new coinage to no other purpose but to breed confusion. If I must receive 100*l.* by tale of this new money for my fee-farm rent, it is demonstration that I lose five ounces per cent. of the silver that was due to me. This a little lower he confesses in these words, "That where a man has a rent-SEC, that can never be more, this may somewhat affect it, but so very little, that it will scarce ever at all be perceived." This very little is five per cent.; and if a man be cheated of that, so he perceives it not, it goes for nothing. But this loss will not affect only such rents as can never be more, but all payments whatsoever, that are contracted for before this alteration of our money.

2. If it be true, what he affirms, "That an ounce of money doth equal an ounce of silver in value abroad, but not at home;" then this part of the undertaking will also fail. For I deny that the stamp on our money does any more debase it here at home than abroad, or make the silver in our money not equal in value to the same weight of silver every where. The author would have done well to have made it out, and not

left so great a paradox only to the credit of a single assertion.

Rem. "And for what is said in this bill to prevent exportation, relates only to the keeping in our coin and bullion, and leaves all foreign to be exported still."

Answ. What the author means by our own and foreign bullion, will need some explication.

Rem. "There is now no such thing as payments in weighty and milled money."

Answ. I believe there are very few in town, who do not very often receive a milled crown for *5s.* and a milled half-crown for *2s. 6d.* But he means, I suppose, in great and entire sums of milled money. But I ask, if all the clipped money were called in, whether then all the payments would not be in weighty money; and that not being called in, whether if it be lighter than your new milled money, the new milled money will not be melted down as much as the old? Which I think the author there confesses, or else I understand him not.

Rem. "Nor will this any way interrupt trade; for trade will find its own course; the denomination of money in any country no way concerning that."

Answ. The denomination to a certain weight of money, in all countries, concerns trade; and the alteration of that necessarily brings disturbance to it.

Rem. "For if so be it occasions the coining more money.—"

Answ. He talks as if it would be "the occasion of coining more money." Out of what? Out of money already coined, or out of bullion? For I would be glad to know where it is.

Rem. "It may be some gain to those that will venture to melt down the coin, but very small loss (if any) to those which shall be paid in the new: it is not to be denied, but that where any man has a rent-SEC, that can never be more, this may somewhat affect it; but so very little, it will scarce ever at all be perceived."

Answ. As much as it will be gain to melt down their coin, so much loss will it be to those who are paid in

new, viz. five per cent., which, I suppose, is more than the author would be willing to lose, unless he get by it another way.

Rem. "And if the alteration designed should have the effect of making our native commodities any ways dearer—"

Answ. Here our author confesses, that proportionably as your money is raised, the price of other things will be raised too But to make amends, he says,

Rem. "It does at the same time make the land which produces them of more than so much more in value."

Answ. This "more than so much more in value," is more than our author, or any body else for him, will ever be able to make out.

The price of things will always be estimated by the quantity of silver given in exchange for them. And if you make your money less in weight, it must be made up in tale. This is all this great mystery of raising money, and raising land. For example: the manor of Blackacre would yesterday have yielded one hundred thousand crowns, which crown-pieces, let us suppose *numero rotundo* to weigh each of them an ounce of standard silver. To-day your new coin comes in play, which is five per cent. lighter. There is your money raised: the land now at sale yields one hundred and five thousand crowns, which is just the same one hundred thousand ounces of standard silver. There is the land raised. And is not this an admirable invention, for which the public ought to be at above one hundred thousand pounds charge for new coinage, and all your commerce put in disorder? And then to recommend this invention, you are told, as a great secret, That, "had not money, from time to time, been raised in its denomination, lands had not so risen too:" which is to say, Had not your money been made lighter, fewer pieces of it would have bought as much land as a greater number does now.

Rem. "The loss of payments, there spoken of, will, in no sort, be so great, as if the parties, to whom these debts are owing, were now bound to receive them in the money that now passes, and then to melt the

same down; so at this they will have no cause to complain."

Answ. A very good argument! the clippers have robbed the public of a good part of their money (which men will, some time or other, find in the payments they receive) and it is desired the mint may have a liberty to be beforehand with those to whom debts are owing. They are told, they will have no reason to complain of it who suffer this loss, because it is not so great as the other. The damage is already done to the public, by clipping. Where at last it will light, I cannot tell. But men who receive clipped money, not being forced to melt it down, do not yet receive any loss by it. When clipped money will no longer change for weighty, then those who have clipped money in their hands will find the loss of it.

Rem. "It will make the customs better paid, because there will be more money."

Answ. That there will be more money in tale, it is possible: that there will be more money in weight and worth, the author ought to show. And then, whatever becomes of the customs, (which I do not hear are unpaid now) the king will lose in the excise above thirty thousand pounds per annum. For in all taxes where so many pounds, shillings, or pence are determined by the law to be paid, there the king will lose five per cent. The author here, as in other places, gives a good reason for it: for, "his majesty being to pay away this money by tale, as he receives it, it will be to him no loss at all."

As if my receiving my rents in full tale, but in money of undervalue five per cent. were not so much loss to me, because I was to pay it away again by tale. Try it at 50 per cent.; the odds only is, that one being greater than the other, would make more noise. But the author's great refuge in this is, that it will not be perceived.

Rem. "If all foreign commodities were to be purchased with this new species of money sent out; we agree, that with 100*l.* of it, there could not be so much silver, or other commodities bought, as with 100*l.* in crown-pieces as now coined, because they

would be heavier; and all coin, in any kingdom but where it is coined, only goes by weight; and for the same weight of silver, the same every where still will be bought; and so there will, with the same quantity of goods. And if those goods should cost five per cent. more here in England than heretofore, and yield but the same money (we mean by the ounce abroad) the same money, brought home and coined, will yield the importer five per cent. more at the mint than it heretofore could do, and so no damage to the trader at all."

Answ. Here truth forces from the author a confession of two things, which demonstrate the vanity and uselessness of the project. 1. That, upon this change of your coin, foreign goods will be raised. Your own goods will cost five per cent. more. So that goods of all kinds being thereupon raised; wherein consists the raising of your money, when an ounce of standard silver, however minced, stamped, or denominated, will buy no more commodities than it did before? This confession also shows the falsehood of that dangerous supposition, that money, "in the kingdom where it is coined, goes not by weight," *i. e.* is not valued by its weight.

Rem. "It is true, the owners of silver will find a good market for it, and no others will be damaged; but, on the contrary, the making plenty of money will be an advantage to all."

Answ. I grant it true, that if your money were really raised five per cent. the owners of silver would get so much by it, by bringing it to the mint to be coined. But since, as is confessed, commodities will (upon this raising your money) be raised to five per cent., this alteration will be an advantage to nobody, but the officers of the mint, and hoarders of money.

Rem. "When standard silver was last raised at the mint, (which it was from *5s.* to *5s.* and *2d.* the ounce, in the 43d of Eliz.) and, for above forty years after, silver uncoined was not worth above *4s.* 10*d.* the ounce, which occasioned much coining; and of money none in those days was exported: whereas silver now is worth but the very same *5s.* *2d.* the ounce still at the mint, and is worth *5s.* 4*d.* elsewhere. So that if

this bill now with the lords does not happen to pass, there can never any silver be ever any more coined at the mint; and all the milled money will, in a very little time more, be destroyed."

Answ. The reason of so much money coined in queen Elizabeth's time, and afterwards, was not the lessening of your crown-pieces from 480 to 462 grains, and so proportionably all the rest of your money (which is that the author calls raising standard silver from *5s.* to *5s. 2d.* the ounce) but from the over-balance of your trade, bringing them in plenty of bullion, and keeping it here.

How standard silver (for if the author speaks of other silver, it is a fallacy) should be worth its own weight in standard silver at the mint, (*i. e. 5s. 2d.* the ounce) and be worth more than its own weight in standard silver, (*i. e. 5s. 4d.* the ounce) in Lombard-street, is a paradox that nobody, I think, will be able to comprehend, till it be better explained. It is time to give off coining, if the value of standard silver be lessened by it; as really it is, if an ounce of coined standard silver will not exchange for an ounce of uncoined standard silver, unless you add 15 or 16 grains overplus to it: which is what the author would have taken upon his word, when he says, "Silver is worth five shillings fourpence elsewhere."

Five shillings fourpence of money coined at the mint, the author must allow to be at least 495 grains. An ounce is but 480 grains. How then an ounce of uncoined standard silver can be worth five shillings fourpence, (*i. e.* how 480 grains of uncoined standard silver can be worth 495 grains of the same standard silver, coined into money) is unintelligible; unless the coinage of our mint lessens the value of standard silver.

"SIR,

"COIN and interest are two things of so great moment to the public, and of so great concernment in trade, that they ought very accurately to be examined into, and very nicely weighed, upon any proposal of altera-

tion to be made in them. I pretend not to have treated of them here as they deserve. That must be the work of an abler hand; I have said something on these subjects, because you required it. And, I hope, the readiness of my obedience will excuse to you the faults I have committed, and assure you that I am,

"SIR,

"Your most humble servant,

"JOHN LOCKE."

SHORT OBSERVATIONS

ON A PRINTED PAPER, ENTITLED,

For encouraging the coining Silver Money in England, and after for keeping it here.

THE author says, " Silver yielding the proposed *2d.* or *3d.* more by the ounce, than it will do by being coined into money, there will be none coined into money; and matter of fact shows there is none."

It would be hard to know what he means, when he says, " silver yields *2d.* or *3d.* more by the ounce, than it will do by being coined into money:" but that he tells us in plain words at the bottom of the leaf, " that an ounce of silver uncoined is of *2d.* more value than after it is coined it will be;" which, I take the liberty to say, is so far from being true, that I affirm it is impossible to be so. For which I shall only give this short reason, viz. because the stamp neither does nor can take away any of the intrinsic value of the silver; and therefore an ounce of coined standard silver must necessarily be of equal value to an ounce of uncoined standard silver. For example, suppose a goldsmith has a round plate of standard silver, just of the shape, size, and weight of a coined crown-piece, which, for brevity's sake, we will suppose to be an ounce; this ounce of standard silver is certainly of equal value to any other ounce of unwrought standard silver in his shop; away he goes with his round piece of silver to the Tower, and has there the stamp set upon it; when he brings this numerical piece back again to his shop coined, can any one imagine that it is now *2d.* less worth than it was when he carried it out smooth, a quarter of an hour before; or, that it is not still of equal value to any

other ounce of unwrought standard silver in his shop? He that can say it is *2d.* less worth than it was before it had the king's image and inscription on it, may as well say, that sixty grains of silver, brought from the Tower, are worth but fifty-eight grains of silver in Lombard-street.

But the author very warily limits this ill effect of coinage only to England; why it is in England, and not every where, would deserve a reason.

But let us grant it to be true, as our author affirms, that coined silver in England is one-thirtieth worse, or of less value, than uncoined; the natural consequence from this, if it be true, is, that it is very unfit that the mint should be employed in England, where it debases the silver one-thirtieth; for, if the stamp lessens the value of our silver this year, it will also do so the next, and so on to the end of the world, it always working the same way. Nor will the altering the denomination, as is proposed, at all help it.

But yet he thinks he has some proof for his proposition, because it is matter of fact that there is no money coined at the mint. This is the great grievance, and is one indeed, but for a different reason from what seems to inspire that paper.

The matter in short is this; England sending more consumable commodities to Spain than it receives from thence, the merchants, who manage their trade, bring back the overplus in bullion, which, at their return, they sell as a commodity. The chapmen, that give highest for this, are, as in all cases of buying and selling, those who can make most profit by it; and those are the returners of our money, by exchange, into those countries where our debts, any way contracted, make a need of it: for they getting 6, 8, 10, &c. per cent. according to the want and demand of money from England there, and according to the risk of the sea, buy up this bullion, as soon as it comes in, to send it to their correspondents in those parts, to make good their credit for the bills they have drawn on them, and so can give more for it than the mint-rate, *i. e.* more than equal weight of milled money for an equal weight

of standard bullion; they being able to make more profit of it by returns.

Suppose the balance of our trade with Holland were in all other commodities equal, but that in the last East India sale we bought of them of East India commodities to the value of a million, to be paid in a month; within a month a million must be returned into Holland: this presently raises the exchange, and the traders in exchange sell their bills at high rates; but the balance of trade being (as is supposed in the case) equal in all other commodities, this million can no way be repaid to their correspondents, on whom those bills were drawn, but by sending them money or bullion to reimburse them.

This is the true reason why the bullion brought from Spain is not carried to the mint to be coined, but bought by traders in foreign exchange, and exported by them, to supply the overplus of our expenses there, which are not paid for by our commodities. Nor will the proposed raising of our money, as it is called, whether we coin our money for the future one-thirtieth, or one-twentieth, or one-half lighter than now it is, bring one ounce more to the mint than now, whilst our affairs in this respect remain in the same posture. And I challenge the author to show that it will; for saying is but saying. Bullion can never come to the mint to be coined, whilst the over-balance of trade and foreign expenses are so great, that to satisfy them, not only the bullion your trade in some parts now yearly brings in, but also some of your formerly coined money is requisite, and must be sent out: but when a change in that brings in and lodges bullion here, (for now it seems it only passes through England) the increase of silver and gold staying in England will again bring it to the mint to be coined.

This makes it easily intelligible how comes it to pass that, when now at the mint they can give but *5s. 2d.* per ounce for silver, they can give *5s. 4d.* the ounce in Lombard-street, (which is what our author means when he says, "silver is now worth but *5s. 2d.* the ounce at the mint, and is worth *5s. 4d.* elsewhere.") The

reason whereof is plain, viz. Because the mint, giving weighty money for bullion, can give so much and no more for silver than it is coined at, which is *5s. 2d.* the ounce, the public paying all the odds that is between coined and uncoined silver, which is the manufacture of coinage: but the banker, or returner of money, having use for silver beyond sea, where he can make his profit of it, by answering bills of exchange, which he sells dear, must either send our money in specie, or melt down our coin to transport, or else with it buy bullion.

The sending our money in specie, or melting it down, has some hazard, and therefore, if he could have bullion for *5s. 2d.* per ounce, or a little dearer, it is like he would always rather choose to exchange corn for bullion, with some little loss, rather than run the risk of melting it down for exportation.

But this would scarce make him pay *2d.* in the crown, which is almost three and a half per cent., if there were not something more in it than barely the risk of melting, or exportation; and that is the lightness of the greatest part of our current coin. For example, N. has given bills for thirty thousand pounds sterling in Flanders, and so has need of ten thousand weight of silver to be transported thither; he has thirty thousand pounds sterling by him in ready money, whereof five thousand pounds is weighty milled money; what shall hinder him then from throwing that into his melting-pot, and so reducing it to bullion to be transported? But what shall he do for the other twenty-five thousand pounds, which, though he has by him, is yet clipped and light money, that is at least twenty per cent. lighter than the standard? If he transports or melts down this, there is so much clear loss to him; it is therefore more advantage to him to buy bullion at *5s. 4d.* the ounce with that light money, than to transport or melt it down; wherein, though the seller of the bullion has less weight in silver than he parts with, yet he finds his account, as much as if he received it in weighty coin, whilst a clipped crown-piece, or shilling, passes as well in payment for any commodity here in Eng-

land as a milled one. Thus our mint is kept from coining.

But this paper, For encouraging the coining, &c. would fain have the mill at work, though there be no grist to be had, unless you grind over again what is ground already, and pay toll for it a second time: a proposition fit only for the miller himself to make; for the meanest housewife in the country would laugh at it, as soon as proposed. However, the author pleases himself, and thinks he has a good argument to make it pass, viz. because the toll to be paid for it will not amount to three hundred and thirty thousand pounds, as is said in a late treatise about raising the value of money, p. 170; for, he says, that writer is mistaken in saying that "3*s.* and 6*d.* is allowed at the mint for the coinage of every pound troy," whereas there is but sixteen-pence halfpenny there allowed for the same; which sixteen-pence halfpenny being above one-third of 3*s.* 6*d.* it follows by his own computation, that the new coining our money will cost the nation above one hundred and ten thousand pounds; a small sum, in this our plenty of riches, to be laid out for the purchasing these following inconveniencies, without any the least advantage.

1. A loss to the king of one-thirtieth (if you coin your money 2*d.* per crown, one-twentieth, if you coin your money 3*d.* per crown lighter) of all his standing revenue.

2. A like loss of one-twentieth, or one-thirtieth, in all rents that are settled; for these have, during the term, the nature of rent-sec: but five per cent. loss in a man's income he thinks so little, it will not be perceived.

3. Trouble to merchants in their trade. These inconveniencies he is forced to allow. He might have said disorder to all people in their trade, though he says it will be but a little trouble to merchants, and without any real damage to trade. The author would have done well to have made out this, and a great many other assertions in that paper; but saying is much easier, if that may pass for proof.

Indeed he has, by a short way, answered the book

above-mentioned, in the conclusion of his paper, in these words: "And he that so grossly mistakes in so material points of what he would assert, it is plain is not free from mistakes." It does not appear that he who published that book ever thought himself free from mistakes; but he that mistakes in two material points may be in the right in two others, and those will still need an answer. But one of these material points will, I think, by what is already said, appear not to be a mistake; and for any thing the author of the paper hath said, or can say, it will always be true, that an ounce of silver coined, or not coined is, and eternally will be, of equal value to any other ounce of silver. As to any other mistake concerning the rate of coinage, it is like he had his information from some disinterested person, whom he thought worthy of credit. And whether it be 3*s.* 6*d.*, as he was told, or only sixteen-pence halfpenny per pound troy, as the paper says, whether the reader will believe the one or the other, or think it worth his more exact inquiry, this is certain, the kingdom ought not to be at that, or any other charge, where there is no advantage, as there will be none in this proposed coinage, but quite the contrary.

In his answer to

Object. 1. He says from Edw. III. "Silver has from time to time (as it grew in esteem) been by degrees raised in all mints." If an ounce of silver now not exchanging or paying for what one-tenth of an ounce would have purchased in Edward the Third's time, and so being ten times less worth now than it was then, be growing in esteem, this author is in the right; else silver has not, since Edward the Third's reign, from time to time grown in esteem. Be that as it will, he assigns a wrong cause of raising of silver, as he calls it, in our mint. For if growing thus in request, *i. e.* by lessening its value, had been the reason of altering our money, this change of coin, or raising the denomination of silver in ours, and other mints, ought to have been greater by much, since Henry the Seventh's time, than it was between that and Edward the Third's; because the great change of the value of silver has been *made by the* plenty of it poured into this part of

the world from the West Indies, not discovered till Henry the Seventh's reign. So that I think I may say, that the value of silver from Edward III. to Henry VII. changed not one-tenth, but from Henry VII. till now it changed above seven-tenths; and yet, money having been raised in our mint two-thirds since Edward the Third's time, the far greater part of the raising of it was before Henry the Seventh's time, and a very small part of it since; so that the cause, insinuated by our author, it is evident, was not the cause of lessening our coin so often, whatever it was: and it is possible there wanted not men of projects in those days, who for private ends, by wrong suggestions, and false reasonings, covered with mysterious terms, led those into mistakes, who had not the time and will nicely to examine; though a crown-piece three times as big as one of ours now, might, for its size alone, deserve to be reformed.

To Object. 2 he says, "The raising the denomination of money in Spain and Portugal, was making it go for more when coined than its true value."

This, I say, is impossible, and desire the author to prove it. It did in Spain and Portugal, just what it will do here and every where; it made not the silver coined go for more than its value, in all things to be bought, but just so much as the denomination was raised, just so much less of commodity had the buyer in exchange for it: as it would be here, if you should coin sixpences into shillings; if any one went to market with this new money, he would find that, whereas he had a bushel of wheat last week for eight shillings of the former coin, he would have now but half a bushel for eight of the new shillings, when the same denomination had but half the quantity of silver. Indeed those who were to receive money upon former contracts would be defrauded of half their due, receiving, in their full tale of any denomination contracted for, but half the silver they should have; the cheat whereof they would find, when they went to market with their new money. For this I have above proved, that one ounce of silver is, and eternally will be, equal in value to another ounce

of silver; and all that can possibly put a difference between them is only the different value of the workmanship bestowed on one more than another, which in coinage, our author tells in this paper, is but sixteen-pence halfpenny per pound troy. I demand therefore of our author, to show that any sort of coinage, or, as he calls it, raising of money, can raise the value of coined silver, or make it go for more than uncoined, bating the charge of coinage; unless it be to those who, being to receive money upon former contracts, will, by receiving the tale agreed for, receive less than they should of silver, and so be defrauded of what they really contracted for.

What effect such a raising of their money had in one particular, I will tell our author. In Portugal they count their money by reys, a very small, or rather imaginary coin, just as if we here should count all our sums by farthings. It pleased the government, possibly being told that it would raise the value of their money, to raise in denomination the several species, and make them go for a greater (let us suppose double) the number of reys than formerly. What was the consequence? It not only confounded the property of the subject, and disturbed affairs to no purpose; but treaties of commerce having settled the rates of the customs at so many reys on the several commodities, the king immediately lost in the value half his customs. The same that in proportion will happen in the settled revenue of the crown here, upon the proposed change.

For though our author in these words, "whereas all now desired by this act is to keep silver, when coined, of the same value it was before," would insinuate, that this raising the denomination, or lessening our coin, as is proposed, will do no such thing; yet it is demonstration, that when our coin is lessened *3d.* in *5s.*, the king will receive five per cent. less in value in his customs, excise, and all his settled revenue, and so proportionably, as the quantity of silver, in every species of our coin, shall be made less than now it is coined in those of the same denomination.

But, whatever our author means by "making money go for more when coined than its true value, or by keeping silver, when coined, of the same value it was before;" this is evident, that raising their money thus, by coining it with less silver in it than it had before, had not the effect in Portugal and Spain, which our author proposes from it here: from it has not brought one penny more to the mint there, nor kept their money, or silver, from exportation since, though forfeiture and death be the penalties joined in aid to this trick of raising to keep it in.

But our author tells us in answer to Object 4. This "will scarce ever at all be perceived." If of 100 guineas a man has in his pocket, five should be picked out, so he should not perceive it, the fraud and the loss would not be one jot the less; and though he perceived it not when, or how it was done, yet he will find it in his accounts, and the going so much back in his estate at the end of the year.

To Object 3 he says, The "raising your coin (it may be) may raise the price of bullion here in England." An ounce of silver will always be equal in value to an ounce of silver every where, bating the workmanship. I say it is impossible to be otherwise, and require our author to show it possible in England, or any where, or else hereafter to spare his "may be." To avoid fallacies, I desire to be understood, when I use the word silver alone, to mean nothing but silver, and to lay aside the consideration of baser metals that may be mixed with it: for I do not say that an ounce of standard, that has almost one-twelfth of copper in it, is of equal value with an ounce of fine silver that has no alloy at all; but that any two ounces of equally alloyed silver will always be of equal value; the silver being the measure of commerce, it is the quantity of silver that is in every piece he receives, and not the denomination of it, which the merchant looks after, and values it by.

But this raising of the denomination our author would have pass, because it will be "better for the possessors of bullion," as he says, Answer 3. But who are they

who now in England are possessed of so much bullion? or what private men are there in England of that consideration, that for their advantage all our money should be new coined, and of a less weight, with so great a charge to the nation, and loss to his majesty's revenue?

He farther adds, Answer 3, It doth not thence inevitably follow, it will raise "the price of bullion beyond sea."

It will as inevitably follow, as that nineteen ounces of silver will never be equal in weight, or worth, to twenty ounces of silver: so much as you lessen your coin, so much more you must pay in tale, as will make the quantity of silver the merchant expects for his commodity; under what denomination soever he receives it.

The clothier, thus buying his Spanish wool, oil, and labour, at five per cent. more in denomination, sells his woollen manufacture proportionably dearer to the English merchant, who, exporting it to Spain, where their money is not changed, sells it at the usual market-rate, and so brings home the same quantity of bullion for it which he was wont; which, therefore, he must sell to you at the same raised value your money is at: and what then is gained by all this? The denomination is only changed to the prejudice of the public; but as to all the great matters of your trade, the same quantity of silver is paid for commodities as before, and they sold in their several foreign markets for the same quantity of silver. But whatever happens in the rate of foreign bullion, the raising of the denomination of our money will bring none of it to our mint to be coined; that depends on the balance of our trade, and not on lessening our coin under the same denomination: for whether the pieces we call crowns be coined 16, 24, or 100 grains lighter, it will be all one as to the value of bullion, or the bringing more or less of it into England or to our mint.

What he says in his answer to Object. 4, besides what we have already taken notice of, is partly against his bill, and partly mistake.

1. He says, "It may be some (as it is now) gain to those, that will venture to melt down the milled and heavy money now coined." That men do venture to melt down the milled and heavy money is evident, from the small part of milled money is now to be found of that great quantity of it that has been coined; and a farther evidence is this, that milled money will now yield four or five more per cent. than the other, which must be to melt down and use as bullion, and not as money in ordinary payments. The reason whereof is, the shameful and horrible debasing, (or as our author would have it, raising) our unmilled money by clipping.

For the odds betwixt milled and unmilled money being now, modestly speaking, above twenty per cent., and bullion, for reasons elsewhere given, being not to be had, refiners, and such as have need of silver, find it the cheapest way to buy milled money for clipped, at four, five, or more per cent. loss.

I ask, therefore, this gentleman, What shall become of all our present milled and heavy money, upon the passing of this act? To which his paper almost confesses, what I will venture to answer for him, viz. that, as soon as such a law is passed, the milled and heavy money will all be melted down; for it being five per cent. heavier, *i. e.* more worth than what is to be coined in the mint, nobody will carry it thither to receive five per cent. less for it, but sell it to such as will give four, or four and a half per cent. more for it, and at that rate melt it down with advantage: for Lombard-street is too quick-sighted, to give sixty ounces of silver for fifty-seven ounces of silver, when bare throwing it into the melting-pot will make it change for its equal weight. So that by this law five per cent. gain on all our milled money will be given to be shared between the possessor and the melter of our milled money, out of the honest creditor and landlord's pocket, who had the guaranty of the law, that under such a tale of pieces, of such a denomination as he let his land for, he should have to such a value, *i. e.* such a weight in silver. Now I ask, Whether it be not a direct and unanswerable reason

against this bill, that he confesses, that it will be "a gain to those, who will melt down the milled and heavy money," with so much loss to the public; and not, as he says, "with very small loss to those, that shall be paid in the new," unless he calls five per cent. very small loss; for just so much is it to receive but fifty-seven grains, or ounces of silver, for sixty, which is the proportion in making your crowns 3*d.* lighter. This is certain, nobody will pay away milled or weighty crowns for debts, or commodities, when it will yield him four or five per cent. more; so that which is now left of weighty money, being scattered up and down the kingdom, into private hands, which cannot tell how to melt it down, will be kept up and lost to our trade. And, as to your clipped and light money, will you make a new act for coinage, without taking any care for that? The making a new standard for your money cannot do less than make all money, which is lighter than that standard, unpassable; and thus the milled and heavy money not coming into payment, and the light and clipped not being lawful money, according to the new standard, there must needs be a sudden stop of trade, and it is to be feared, a general confusion of affairs; though our author says, "it will not any ways interrupt trade."

2. The latter part of the section, about raising the value of land, I take the liberty to say is a mistake; which, though a sufficient reply to an assertion without proof, yet I shall not so far imitate this author as barely to say things: and therefore, I shall add this reason for what I say, viz. Because nothing can truly raise the value, *i. e.* the rent of land, but the increase of your money: but because raising the value of land is a phrase, which, by its uncertain sense, may deceive others, we may reckon up these several meanings of it.

1. The value of land is raised, when its intrinsic worth is increased, *i. e.* when it is fitted to bring forth a greater quantity of any valuable product. And thus the value of land is raised only by good husbandry.

2. The value of land is raised, when, remaining of the same fertility, it comes to yield more rent, and thus

its value is raised only by a greater plenty of money and treasure.

3. Or it may be raised in our author's way, which is, by raising the rent in tale of pieces, but not in the quantity of silver received for it; which, in truth, is no raising it at all, any more than it could be accounted the raising of a man's rent, if he let his land this year for forty sixpences, which last year he let for twenty shillings. Nor would it alter the case, if he should call those forty sixpences forty shillings; for having but half the silver of forty shillings in them, they would be but of half the value, however their denomination were changed.

In his answer to the fifth objection, there is this dangerous insinuation, That coin, in any country where it is coined, goes not by weight, *i. e.* has its value from the stamp and denomination, and not the quantity of silver in it. Indeed in contracts already made, if your species be by law coined a fifth part lighter, under the same denomination, the creditor must take a hundred such light shillings, or twenty such light crown-pieces for 5*l.* if the law calls them so, but he loses one-fifth, in the intrinsic value of his debt. But, in bargains to be made, and things to be purchased, money has, and will always have, its value from the quantity of silver in it, and not from the stamp and denomination, as has been already proved, and will, some time or other, be evidenced with a witness, in the clipped money. And if it were not so, that the value of money were not according to the quantity of silver in it, *i. e.* that it goes by weight, I see no reason why clipping should be so severely punished.

As to foreigners, he is forced to confess, that it is all one what our money is, greater or less, who regard only the quantity of silver they sell their goods for; how then can the lessening our money bring more plenty of bullion into England or to the mint?

But he says, "The owners and importers of silver will find a good market at the mint," &c. But always a better in Lombard-street, and not a grain of it will come to the mint, as long as by an under-balance of

trade, or other foreign expenses, we contract debts beyond sea, which require the remitting of greater sums thither, than are imported in bullion. "If for above forty years after silver was raised, in the forty-third year of queen Elizabeth, from 5*s.* to 5*s.* 2*d.* the ounce, uncoined silver was not worth above 4*s.* 10*d.* per ounce;"—the cause was not that raising of silver in the mint, but an over-balance of trade, which bringing in an increase of silver yearly, for which men having no occasion abroad, brought it to the mint to be coined, rather than let it lie dead by them in bullion: and whenever that is the case again in England, it will occasion coining again, and not till then. "No money was in those days exported," says he; no, nor bullion neither, say I; why should, or how could it, when our exported merchandize paid for all the commodities we brought home, with an overplus of silver and gold, which, staying here, set the mint on work. But the passing this bill will not hinder the exportation of one ounce either of bullion or money, which must go, if you contract debts beyond sea; and how its having been once melted in England, which is another thing proposed in this bill, shall hinder its exportation, is hard to conceive, when even coining has not been able to do it, as is demonstrable, if it be examined what vast sums of milled money have been coined in the two last reigns, and how little of it is now left. Besides, if the exportation of bullion should be brought under any greater difficulty than of any other commodity, it is to be considered whether the management of that trade, which is in skilful hands, will not thereupon be so ordered, as to divert it from coming to England for the future, and cause it to be sent from Spain directly to those places where they know English debts will make it turn to best account, to answer bills of exchange sent thither.

FURTHER

CONSIDERATIONS

CONCERNING

RAISING THE VALUE

OF

MONEY.

WHEREIN

MR. LOWNDES'S ARGUMENTS FOR IT, IN HIS LATE REPORT CONTAINING "AN ESSAY FOR THE AMENDMENT OF THE SILVER COINS," ARE PARTICULARLY EXAMINED.

TO THE RIGHT HONOURABLE

SIR JOHN SOMMERS, KNT.

LORD KEEPER OF THE GREAT SEAL OF ENGLAND, AND ONE OF HIS MAJESTY'S MOST HONOURABLE PRIVY-COUNCIL.

MY LORD,

THE papers I here present your lordship are in substance the same with one which I delivered to you in obedience to the commands I received, by your lordship, from their excellencies the lords justices; and with another, which I writ in answer to some questions your lordship was pleased to propose to me, concerning our coin. The approbation your lordship was pleased to give them then has been an encouragement to me to revise them now, and put them in an order fitter to comply with their desires, who will needs have me print something at this time on this subject: and could any thing of this nature be received with indifferency in this age, the allowance they have had from your lordship, whose great and clear judgment is, with general consent and applause, acknowledged to be the just measure of right and wrong amongst us, might make me hope that they might pass in the world without any great dislike.

However, since your lordship thought they might be of use to clear some difficulties, and rectify some wrong notions, that are taken up about money, I have ventured them into the world, desiring no mercy to any erroneous positions, or wrong reasonings, which shall be found in them. I shall never knowingly be of any but truth's and my country's side; the former I shall always gladly embrace and own, whoever shows it me: and in these papers, I am sure, I have no other aim but to do what little I can for the service of my country. Your lordship's so evidently preferring that to all

other considerations, does, in the eyes of all men, sit so well upon you, that my ambition will not be blamed, if I in this propose to myself so great an example, and in my little sphere am moved by the same principle.

I have a long time foreseen the mischief and ruin coming upon us by clipped money, if it were not timely stopped: and had concern enough for the public, to make me print some thoughts touching our coin, some years since. The principles I there went on I see no reason to alter: they have, if I mistake not, their foundation in nature, and will stand; they have their foundation in nature, and are clear; and will be so, in all the train of their consequences, throughout this whole (as it is thought) mysterious business of money, to all those, who will but be at the easy trouble of stripping this subject of hard, obscure, and doubtful words, wherewith men are often misled, and mislead others, And now the disorder is come to extremity, and can no longer be played with, I wish it may find a sudden and effectual cure, not a remedy in sound and appearance, which may flatter us on to ruin, in a continuation of a growing mischief, that calls for present help.

I wish too that the remedy may be as easy as possible; and that the cure of this evil be not ordered so, as to lay a great part of the burden unequally on those who have had no particular hand in it. Westminster-hall is so great a witness of your lordship's unbiassed justice, and steady care to preserve to every one their right, that the world will not wonder you should not be for such a lessening our coin, as will, without any reason, deprive great numbers of blameless men of a fifth part of their estates, beyond the relief of Chancery. I hope this age will escape so great a blemish. I doubt not but there are many, who, for the service of their country, and for the support of the government, would gladly part with, not only one-fifth, but a much larger portion of their estates. But when it shall be taken from them, only to be bestowed on men, in their and the common opinion, no better deserving of their country than themselves, unless growing exceedingly rich

by the public necessities, whilst every body else finds his fortune straitened by them, be a public merit, that deserves a public and signal reward; this loss of one-fifth of their debts and income will sit heavy on them who shall feel it, without the alleviation of any profit, or credit, that will thereby accrue to the nation by such a lessening of our coin.

If any one ask, how I, a retired, private man, come at this time to meddle with money and trade, for they are inseparable? I reply, that your lordship, and the other great men that put me upon it, are answerable for it: whether what I say be to the purpose or no, that I myself am answerable for. This I can answer to all the world, that I have not said any thing here, without a full persuasion of its truth; nor with any other motive, or purpose, than the clearing of this artificially perplexed, rather than in itself mysterious, subject, as far as my poor talent reaches. That which, perhaps, I shall not be so well able to answer to your lordship and myself, is the liberty I have taken, in such an address as this, to profess that I am,

My Lord,

Your lordship's most humble,

and most obedient servant,

JOHN LOCKE.

PREFACE.

THOUGH Mr. Lowndes and I differ in the way, yet, I assure myself, our end is the same; and that we both propose to ourselves the service of our country. He is a man known so able in the post he is in, to which the business of money peculiarly belongs; and has showed himself so learned in the records and matters of the mint, and so exact in calculations and combinations of numbers relating to our coin, either already in use, or designed by him, that I think I should have troubled the public no more on this subject, had not he himself engaged me in it; and brought it to that pass, that either I must be thought to renounce my own opinion, or must publicly oppose his.

Whilst his treatise was yet a manuscript, and before it was laid before those great persons, to whom it was afterwards submitted, he did me the favour to show it to me; and made me the compliment to ask me my opinion of it. Though we had some short discourse on the subject, yet the multiplicity of his business, whilst I staid in town, and my health, which soon after forced me out of it, allowed us not an occasion to debate any one point thoroughly, and bring it to an issue. Before I returned to town, his book was in the press, and finished before I had an opportunity to see Mr. Lowndes again. And here he laid a new obligation on me, not only in giving me one of them, but telling me when I received it from his hands, that it was the first he had parted with to any body. I then went over it a second time, and having more leisure to consider it, I found there were a great many particulars in it drawn out of

ancient records, not commonly known, wherewith he had obliged the world. These, which very pleasingly entertained me, though they prevailed not on me to be of his opinion every where, yet, joined with the great civilities he had shown me, left me in a disposition so little inclined to oppose any thing in it, that I should rather have chosen to acknowledge myself in print to be his convert, if his arguments had convinced me, than to have troubled the world with the reasons why I dissent from him.

In this disposition, my pen rested from meddling any farther with this subject whilst I was in town; soon after my own health, and the death of a friend, forced me into the country; and the business occasioned thereby, and my own private affairs, took up all my time at my first coming thither; and had continued to do so, had not several repeated intimations and instances from London, not without some reproaches of my backwardness, made me see that the world concerned me particularly in Mr. Lowndes's postscript, and expected something from me on that occasion.

Though possibly I was not wholly out of his mind when Mr. Lowndes writ that invitation, yet I shall not make myself the compliment to think I alone am concerned in it. The great importance of the matter, made him desire every one to contribute what he could to the clearing of it, and setting it in a true light. And I must do him this right to think, that he prefers the public good to his private opinion; and therefore is willing his proposals and arguments should with freedom be examined to the bottom; that, if there be any mistake in them, nobody may be misled by his reputation and authority, to the prejudice of his country. Thus I understand his postscript, and thus I shall endeavour to comply with it. I shall, to the best of my skill, examine his arguments with all respect to him, and fidelity to truth, as far as I can discover it. The frankness of his proceeding in particular with me, assures me he is so great a lover of truth and right, that he will not think himself injured when that is de-

fended; and will be glad when it is made plain, by whose hand soever it be.

This is what has made me publish these papers, without any derogation to Mr. Lowndes, or so much as a suspicion that he will take it amiss. I judge of him by myself. For I shall think myself obliged to any one who shall show me, or the public, any material mistake in any thing I have here said, whereon any part of the question turns.

FURTHER

CONSIDERATIONS

CONCERNING

RAISING THE VALUE

OF

MONEY.

SILVER is the instrument and measure of commerce in all the civilized and trading parts of the world.

It is the instrument of commerce by its intrinsic value.

The intrinsic value of silver, considered as money, is that estimate which common consent has placed on it, whereby it is made equivalent to all other things, and consequently is the universal barter, or exchange, which men give and receive for other things they would purchase or part with for a valuable consideration: and thus, as the wise man tells us, money answers all things.

Silver is the measure of commerce by its quantity, which is the measure also of its intrinsic value. If one grain of silver has an intrinsic value in it, two grains of silver have double that intrinsic value, and three grains treble, and so on proportionably. This we have daily experience of in common buying and selling; for if

one ounce of silver will buy, *i. e.* is of equal value to, one bushel of wheat, two ounces of silver will buy two bushels of the same wheat, *i. e.* have double the value.

Hence it is evident, that an equal quantity of silver is always of equal value to an equal quantity of silver.

This common sense, as well as the market, teaches us; for silver being all of the same nature and goodness, having all the same qualities, it is impossible but it should in the same quantity have the same value; for if a less quantity of any commodity be allowed to be equal in value to a greater quantity of the same sort of commodity, it must be for some good quality it has, which the other wants. But silver to silver has no such difference.

Here it will be asked, is not some silver finer than other?

I answer, one mass of mixed metal, not discerned by the eye to be any thing but silver, and therefore called silver, may have a less mixture of baser metal in it than another, and so in common speech is said to be finer silver; so ducatoons having a less mixture of copper in them than our English coin has, are said to be finer silver. But the truth is, the silver that is in each is equally fine, as will appear when the baser metal is separate from it; and it is of this pure or fine silver I must be understood, when I mention silver; not regarding the copper or lead which may chance to be mixed with it. For example: Take an ounce of silver, and one-fourth of an ounce of copper, and melt them together; one may say of the whole mass that it is not fine silver; but it is true there is an ounce of fine silver in it; and though this mass, weighing one ounce and a quarter, be not of equal value to one ounce and a quarter of fine silver, yet the ounce of fine silver in it is, when separate from the copper, of equal value to any other ounce of silver.

By this measure of commerce, viz. the quantity of silver, men measure the value of all other things. Thus to measure what the value of lead is to wheat, and

of either of them to a certain sort of linen cloth, the quantity of silver that each is valued at, or sells for, needs only be known; for if a yard of cloth be sold for half an ounce of silver, a bushel of wheat for one ounce, and a hundred weight of lead for two ounces; any one presently sees and says, that a bushel of wheat is double the value of a yard of that cloth, and but half the value of a hundred weight of lead.

Some are of opinion, that this measure of commerce, like all other measures, is arbitrary, and may at pleasure be varied, by putting more or fewer grains of silver in pieces of a known denomination, *v. g.* by making a penny or a shilling lighter or heavier in silver, in a country where these are known denominations of pieces of silver money. But they will be of another mind, when they consider, that silver is a measure of a nature quite different from all other. The yard or quart men measure by, may rest indifferently in the buyers' or sellers', or a third person's hands, it matters not whose it is. But it is not so in silver: it is the thing bargained for, as well as the measure of the bargain; and in commerce passes from the buyer to the seller, as being in such a quantity equivalent to the thing sold; and so it not only measures the value of the commodity it is applied to, but is given in exchange for it, as of equal value. But this it does, (as is visible) only by its quantity, and nothing else: for it must be remembered, that silver is the instrument as well as measure of commerce, and is given in exchange for the things traded for; and, every one desiring to get as much as he can of it, for any commodity he sells, it is by the quantity of silver he gets for it in exchange, and by nothing else, that he measures the value of the commodity he sells.

The coining of silver, or making money of it, is the ascertaining of its quantity by a public mark, the better to fit it for commerce.

In coined silver or money, there are these three things which are wanting in other silver. 1. Pieces of exactly the same weight and fineness. 2. A stamp set on those

pieces by the public authority of that country. 3. A known denomination given to these pieces by the same authority.

The stamp is a mark, and, as it were, a public voucher, that a piece of such denomination is of such a weight, and of such a fineness, *i. e.* has so much silver in it.

That precise weight and fineness, by law appropriated to the pieces of each denomination, is called the standard.

Fine silver, is silver without the mixture of any baser metal.

Alloy is baser metal mixed with it.

The fineness of any metal appearing to be silver, and so called, is the proportion of silver in it, compared with what there is in it of baser metals.

The fineness of standard silver in England is eleven parts silver and one part copper, near; or, to speak more exactly, the proportion of silver to copper is as 111 to 9. Whatever piece, or mass, has in it, of baser metal, above the proportion of 9 to 111 is worse, or coarser than standard. Whatever mass of metal has a less proportion than 9 to 111, of baser metal in it, is better, or finer than standard.

Since silver is the thing sought for, and would better serve for the measure of commerce, if it were unmixed, it will possibly be asked, "why any mixture of baser metal is allowed in money, and what use is there of such alloy, which serves to make the quantity of silver less known in the several coins of different countries?"

Perhaps it would have been better for commerce in general, and more convenient for all their subjects, if the princes every where, or at least in this part of the world, would at first have agreed on the fineness of the standard to have been just one-twelfth alloy, in round numbers, without those minuter fractions which are to be found in the alloy of most of the coin of the several distinct dominions of this part of the world. Which broken proportion of baser metal to silver, in the stand-

ard of the several mints, seems to have been introduced by the skill of men employed in coining, to keep that art (as all trades are called) a mystery, rather than for any use or necessity there was of such broken numbers. But, be that as it will, the standard in our mint being now settled by authority, and established by custom, known at home and abroad, and the rules and methods of assaying suited to it, and all the wrought plate, as well as coin of England, being made by that measure, it is of great concernment that it should remain invariable.

But to the question, "What need is there of any mixture of baser metal with silver in money or plate?" I answer there is great reason for it; for,

1. Copper mixed with silver makes it harder, and so wears and wastes less in use than if it were fine silver. 2. It melts easier. 3. Silver, as it is drawn and melted from the mine, being seldom perfectly fine, it would be a great charge by refining to separate all the baser metals from it, and reduce it to perfectly unmixed silver.

The use of coined silver or money is, that every man in the country, where it is current by public authority, may, without the trouble of refining, assaying, or weighing, be assured what quantity of silver he gives, receives, or contracts for, under such and such denominations.

If this security goes not along with the public stamp, coining is labour to no purpose, and puts no difference between coined money and uncoined bullion. This is so obvious, that I think no government, where money is coined, ever overlooks it; and therefore the laws every where, when the quantity of silver has been lessened in any piece carrying the public stamp, by clipping, washing, rounding, &c. have taken off the authority of the public stamp, and declared it not to be lawful money. This is known to be so in England, and every one may not only refuse any money bearing the public stamp, if it be clipped, or any ways robbed of the due weight of its silver, but he that offers it in payment is liable to indictment, fine, and imprisonment.

From whence we may see, that the use and end of the public stamp is only to be a guard and voucher of the quantity of silver which men contract for; and the injury done to the public faith, in this point, is that which in clipping and false coining heightens the robbery into treason.

Men in their bargains contract not for denominations or sounds, but for the intrinsic value, which is the quantity of silver, by public authority, warranted to be in pieces of such denominations; and it is by having a greater quantity of silver, that men thrive and grow richer, and not by having a greater number of denominations; which, when they come to have need of their money, will prove but empty sounds, if they do not carry with them the real quantity of silver expected.

The standard once settled by public authority, the quantity of silver established under the several denominations (I humbly conceive) should not be altered till there were an absolute necessity shown of such a change, which I think can never be.

The reason why it should not be changed is this; because the public authority is guarantee for the performance of all legal contracts. But men are absolved from the performance of their legal contracts, if the quantity of silver under settled and legal denominations be altered; as is evident, if borrowing 100*l.* or 400 ounces of silver, to repay the same quantity of silver (for that is understood by the same sum, and so the law warrants it) or taking a lease of lands for years to come, at the like rent of 100*l.* they shall pay both the one and the other, in money coined under the same denominations, with one-fifth less silver in it than at the time of the bargain; the landlord here and creditor are each defrauded of twenty per cent. of what they contracted for, and is their due. And I ask, how much juster it would be thus to dissolve the contracts they had made than to make a law, that from henceforth all landlords and creditors should be paid their past debts, and the rents for leases already made, in clipped money, twenty per cent. lighter than it should be? Both ways they lose twenty per cent. of their due, and with equal justice.

The case would be the same and legal contracts be avoided, if the standard should be altered, on the other side, and each species of our coin be made one-fifth heavier; for then he that had borrowed, or contracted for any sum, could not be discharged, by paying the quantity he agreed for, but be liable to be forced to pay twenty per cent. more than he bargained for, that is, more than he ought.

On the other side: Whether the creditor be forced to receive less, or the debtor be forced to pay more than his contract, the damage and injury is the same, whenever a man is defrauded of his due; and whether this will not be a public failure of justice thus arbitrarily to give one man's right and possession to another, without any fault on the suffering man's side, and without any the least advantage to the public, I shall leave to be considered.

Raising of coin is but a specious word to deceive the unwary. It only gives the usual denomination of a greater quantity of silver to a less, (*v. g.* calling four grains of silver a penny to-day, when five grains of silver made a penny yesterday) but adds no worth or real value to the silver coin, to make amends for its want of silver. That is impossible to be done; for it is only the quantity of silver in it that is, and eternally will be, the measure of its value. And to convince any one of this, I ask, whether he, that is forced to receive but 320 ounces of silver under the denomination of 100*l.* (for 400 ounces of silver which he lent under the like denomination of 100*l.*) will think these 320 ounces of silver, however denominated, worth those 400 ounces he lent? If any one can be supposed so silly, he need but go to the next market, or shop, to be convinced, that men value not money by the denomination, but by the quantity of silver there is in it. One may as rationally hope to lengthen a foot, by dividing it into fifteen parts, instead of twelve, and calling them inches, as to increase the value of the silver, that is in a shilling, by dividing it into fifteen parts instead of twelve, and calling them pence. This is all

that is done, when a shilling is raised from twelve to fifteen pence.

Clipping of money is raising it without public authority; the same denomination remaining to the piece, that hath now less silver in it than it had before.

Altering the standard, by coining pieces under the same denomination with less silver in them than they formerly had, is doing the same thing by public authority. The only odds is, that by clipping, the loss is not forced on any one, (for nobody is obliged to receive clipped money); by altering the standard, it is.

Altering the standard, by raising the money, will not get to the public, or bring to the mint to be coined, one ounce of silver: but will defraud the king, the church, the universities and hospitals, &c. of so much of their settled revenue as the money is raised, *v. g.* twenty per cent. if the money (as is proposed) be raised one-fifth. It will weaken, if not totally destroy, the public faith, when all that have trusted the public, and assisted our present necessities, upon acts of parliament, in the million lottery, bank act, and other loans, shall be defrauded of twenty per cent. of what those acts of parliament were security for. And to conclude, this raising our money will defraud all private men of twenty per cent. in all their debts and settled revenues.

Clipping, by Englishmen, is robbing the honest man who receives clipped money, and transferring the silver, *i. e.* the value is pared off from it, into the clipper's pocket. Clipping by foreigners is robbing England itself; and thus the Spaniards lately robbed Portugal of a great part of its treasure, or commodities, (which is the same thing) by importing upon them clipped money of the Portugal stamp.

Clipping, and clipped money, have, besides this robbery of the public, other great inconveniencies: as the disordering of trade, raising foreign exchange, and a general disturbance, which every one feels thereby in his private affairs.

; is so gainful and so secret a robbery, that penal annot restrain it, as we see by experience.

Nothing, I humbly conceive, can put a stop to clipping, now it is grown so universal, and men become so skilful in it, but making it unprofitable.

Nothing can make clipping unprofitable, but making all light money go only for its weight. This stops clipping in a moment, brings out all the milled and weighty money, deprives us not of any part of our clipped money for the use of trade, and brings it orderly, and by degrees, and without force, into the mint to be recoined.

If clipped money be called in all at once, and stopped from passing by weight, I fear it will stop trade, put our affairs all at a stand, and introduce confusion. Whereas, if it be permitted to pass by its weight, till it can by degrees be coined, (the stamp securing its fineness, as well then as now, and the scales determining its weight) it will serve for paying of great sums as commodiously almost as weighty money, and the weighty money, being then brought out, will serve for the market trade, and less payments, and also to weigh the clipped money by.

On the other side, if clipped money be allowed to pass current by tale, till it be all recoined, one of these two effects will apparently follow: either that we shall want money for trade, as the clipped money decreases, by being coined into weighty; (for very few, if any body, who get weighty money into their hands, will part with it, whilst clipped money, not of half the value, is current) or if they do, the coiners and clippers will pick it up, and new coin and clip it, whereby clipped money will be increased; so that, by this way, either money will be wanting to trade, or clipped money continued. If clipped money be stopped all at once, there is immediately a stop of trade. If it be permitted to pass in tale, as if it were lawful, weighty money, whilst it is recoining, and till all be recoined, that way also there will be an end of trade, or no end of clipped money. But, if it be made to pass for its weight, till it be all recoined, both these evils are avoided, and the

weighty money, which we want, will be brought out to boot.

Money is necessary to the carrying on of trade. For where money fails, men cannot buy, and trade stops.

Credit will supply the defect of it to some small degree, for a little while. But, credit being nothing but the expectation of money within some limited time, money must be had, or credit will fail.

Money also is necessary to us, in a certain proportion to the plenty of it amongst our neighbours. For, if any of our neighbours have it in a much greater abundance than we, we are many ways obnoxious to them. 1. They can maintain a greater force. 2. They can tempt away our people, by greater wages, to serve them by land or sea, or in any labour. 3. They can command the markets, and thereby break our trade, and make us poor. 4. They can on any occasion engross aval and warlike stores, and thereby endanger us.

In countries where domestic mines do not supply it, nothing can bring in silver but tribute, or trade. Tribute is the effect of conquest: trade, of skill and industry.

By commerce silver is brought in, only by an over-balance of trade.

An over-balance of trade, is when the quantity of commodities which we send to any country do more than pay for those we bring from thence: for then the overplus is brought home in bullion.

Bullion is silver, whose workmanship has no value. And thus foreign coin hath no value here for its stamp, and our coin is bullion in foreign dominions.

It is useless and labour in vain to coin silver, imported into any country, where it is not to stay.

Silver imported cannot stay in any country in which, by an over-balance of their whole trade, it is not made theirs, and doth not become a real increase of their wealth.

If, by a general balance of its trade, England yearly sends out commodities to the value of four hundred thousand ounces of silver more than the commodities we bring home from abroad cost us, there is one hun-

dred thousand pounds every year clear again; which will come home in money, be a real increase of our wealth, and will stay here.

On the other side, if, upon a general balance of our whole trade, we yearly import commodities from other parts to the value of a hundred thousand pounds more than our commodities exported pay for, we every year grow a hundred thousand pounds poorer. And if, besides that, we should also import a million in bullion from Spain every year, yet it is not ours; it is no increase to our wealth, nor can it stay here; but must be exported again, every grain of it, with a hundred thousand pounds of our own money to boot.

I have heard it proposed, as a way to keep our money here, that we should pay our debts contracted beyond seas by bills of exchange.

The idleness of such a proposition will appear, when the nature of exchange is a little considered.

Foreign exchange is the paying of money in one country, to receive it in another.

The exchange is high, when a man pays for bills of exchange above the par. It is low, when he pays less than the par.

The par is a certain number of pieces of the coin of one country, containing in them an equal quantity of silver to that in another number of pieces of the coin of another country: *v. g.* supposing 36 skillings of Holland to have just as much silver in them as 20 English shillings. Bills of exchange drawn from England to Holland at the rate of 36 skillings Dutch for each pound sterling, is according to the par. He that pays the money here, and receives it there, neither gets nor loses by the exchange; but receives just the same quantity of silver in the one place, that he parts with in the other. But if he pays one pound sterling to receive but 30 skillings in Holland, he pays one-sixth more than the par, and so pays one-sixth more silver for the exchange, let the sum be what it will.

The reason of high exchange is the buying much commodities in any foreign country, beyond the value of what that country takes of ours. This makes En-

glishmen have need of great sums there, and this raises the exchange, or price of bills. For what grows more into demand, increases presently in price.

Returning money by exchange into foreign parts keeps not one farthing from going out; it only prevents the more troublesome and hazardous way of sending money in specie, forwards and backwards. Bills of exchange are sent more commodiously, and by scrips of paper even the accounts between particular debtors and creditors, in different countries, as far as the commerce between those two places is equivalent: but where the over-balance, on either side, demands payment, there bills of exchange can do nothing; but bullion, or money in specie, must be sent. For in a country where we owe money, and have no debts owing to us, bills will not find credit, but for a short time, till money can be sent to reimburse those that paid them; unless we can think men beyond sea will part with their money for nothing. If the traders of England owe their correspondents of Holland a hundred thousand pounds, their accounts with all the rest of the world standing equal, and remaining so, one farthing of this hundred thousand pounds cannot be paid by bills of exchange. For example, I owe a thousand pounds of it; and, to pay that, buy a bill of N. here, drawn on John de Wit of Amsterdam, to pay P. Van Lore, my correspondent there. The money is paid accordingly, and thereby I am out of Van Lore's debt; but not one farthing of the debt of England to Holland is thereby paid; for N. of whom I bought the bill of exchange, is now as much indebted to John de Wit, as I was before to P. Van Lore. Particular debtors and creditors are only changed by bills of exchange; but, the debt owing from one country to the other, cannot be paid without real effects sent thither to that value, either in commodities or money. Where the balance of trade barely pays for commodities with commodities, there money must be sent, or else the debt cannot be paid.

I have spoken of silver coin alone, because that makes the money of account and measure of trade, all through the world. For all contracts are, I think, every where

made and accounts kept in silver coin. I am sure they are so in England and the neighbouring countries.

Silver therefore, and silver alone, is the measure of commerce. Two metals, as gold and silver, cannot be the measure of commerce both together in any country; because the measure of commerce must be perpetually the same, invariable, and keeping the same proportion of value in all its parts. But so only one metal does, or can do to itself: so silver is to silver, and gold to gold. An ounce of silver is always of equal value to an ounce of silver, and an ounce of gold to an ounce of gold; and two ounces of the one or the other, of double the value to an ounce of the same. But gold and silver change their value one to another: for supposing them to be in value as sixteen to one now; perhaps the next month they may be as fifteen and three quarters, or fifteen and seven-eighths to one. And one may as well make a measure, *v. g.* a yard, whose parts lengthen and shrink, as a measure of trade of materials that have not always a settled, invariable value to one another.

One metal, therefore, alone can be the money of account and contract, and the measure of commerce in any country. The fittest for this use, of all other, is silver, for many reasons, which need not here be mentioned. It is enough that the world has agreed in it, and made it their common money, and, as the Indians rightly call it, measure. All other metals, gold as well as lead, are but commodities.

Commodities are moveables, valuable by money, the common measure.

Gold, though not the money of the world, and the measure of commerce, nor fit to be so, yet may, and ought to be coined, to ascertain its weight and fineness; and such coin may safely have a price, as well as a stamp set upon it by public authority; so the value set be under the market-price. For then such pieces coined will be a commodity as passable as silver money, very little varying in their price: as guineas, which were coined at the value of 20*s.* but passed usually for between 21 or 22*s.* according to the current rate; but,

not having so high a value put upon them by the late, nobody could be forced to take them to their loss at 21*s.* 6*d.* if the price of gold should happen at any time to be cheaper.

From what has been said, I think it appears,

1. That silver is that which mankind have agreed on to take and give in exchange for all commodities as an equivalent.

2. That it is by the quantity of silver they give or take, or contract for, that they estimate the value of other things, and satisfy for them; and thus, by its quantity, silver becomes the measure of commerce.

3. Hence it necessarily follows, that a greater quantity of silver has a greater value; a less quantity of silver has a less value; and an equal quantity an equal value.

4. That money differs from uncoined silver only in this, that the quantity of silver in each piece of money is ascertained by the stamp it bears; which is set there to be a public voucher of its weight and fineness.

5. That gold is treasure as well as silver, because it decays not in keeping, and never sinks much in value.

6. That gold is fit to be coined as well as silver; to ascertain its quantity to those who have a mind to traffic in it; but not fit to be joined with silver as a measure of commerce.

7. That jewels too are treasure, because they keep without decay, and have constantly a great value in proportion to their bulk; but cannot be used for money, because their value is not measured by their quantity, nor can they, as gold and silver, be divided, and keep their value.

8. The other metals are not treasure, because they decay in keeping, and because of their plenty, which makes their value little in a great bulk; and so unfit for money, commerce, and carriage.

9. That the only way to bring treasure into England, is the well ordering our trade.

10. That the only way to bring silver and gold to the mint, for the increase of our stock of money and treasure, which shall stay here, is an over-balance of our

whole trade. All other ways, to increase our money and riches, are but projects that will fail us.

These things premised, I shall now proceed to show wherein I differ from Mr. Lowndes, and upon what grounds I do so.

Mr. Lowndes proposes, that our money should be raised (as it is called) one-fifth: that is, That all our present denominations of money, as penny, shilling, half-crown, crown, &c. should each have one-fifth less silver in it, or be answered with coin of one-fifth less value. How he proposes to have it done I shall consider hereafter. I shall at present only examine the reasons he gives for it.

His first reason, p. 68, he gives us in these words, "The value of the silver in the coin ought to be raised to the foot of six shillings three-pence in every crown; because the price of standard silver in bullion is risen to six shillings five-pence an ounce."

This reason seems to me to labour under several mistakes; as

1. That standard silver can rise in respect of itself.

2. That standard bullion is now, or ever was worth, or sold to the traders in it for 6*s.* 5*d.* the ounce, of lawful money of England. For if that matter of fact holds not to be so, that an ounce of sterling bullion is worth 6*s.* 5*d.* of our milled weighty money, this reason ceases: and our weighty crown-pieces ought not to be raised to 6*s.* 3*d.* because our light clipped money will not purchase an ounce of standard bullion, under the rate of 6*s.* 5*d.* of that light money. And let me add here, nor for that rate neither. If therefore the author means here, that an ounce of standard silver is risen to 6*s.* 5*d.* of our clipped money, I grant it him, and higher too. But then, that has nothing to do with the raising our lawful coin, which remains unclipped; unless he will say too, that standard bullion is so risen, as to be worth, and actually to sell for, 6*s.* 5*d.* the ounce, of our weighty milled money. This I not only deny, but farther add, that it is impossible to be so. For 6*s.* 5*d.* of milled money weighs an ounce and a quarter near. Can it therefore be possible, that one ounce of any commodity

should be worth an ounce and a quarter of the self-same commodity, and of exactly the same goodness? for so is standard silver to standard silver. Indeed, one has a mark upon it, which the other has not; but it is a mark that makes it rather more than less valuable: or if the mark, by hindering its exportation, makes it less valuable for that purpose, the melting-pot can easily take it off.

The complaint made of melting down our weighty money answers this reason evidently. For can it be supposed that a goldsmith will give one ounce and a quarter of coined silver for one ounce of bullion; when, by putting it into his melting-pot, he can, for less than a penny charge, make it bullion? (For it is always to be remembered, what I think is made clear, that the value of silver, considered as it is money, and the measure of commerce, is nothing but its quantity.) And thus a milled shilling, which has double the weight of silver in it to a current shilling, whereof half the silver is clipped away, has double the value. And to show that this is so, I will undertake that any merchant, who has bullion to sell, shall sell it for a great deal less number of shillings in tale, to any one who will contract to pay him in milled money, than if he be paid in the current clipped money.

Those who say bullion is risen, I desire to tell me, what they mean by risen? Any commodity, I think, is properly said to be risen, when the same quantity will exchange for a greater quantity of another thing; but more particularly of that thing, which is the measure of commerce in the country. And thus corn is said to be risen among the English in Virginia, when a bushel of it will sell or exchange for more pounds of tobacco; amongst the Indians, when it will sell for more yards of wampompeak, which is their money; and amongst the English here, when it will exchange for a greater quantity of silver than it would before. Rising and falling of commodities are always between several commodities of distinct worths. But nobody can say that tobacco (of the same goodness) is risen in respect of itself. One pound of the same goodness will never ex-

change for a pound and a quarter of the same goodness. And so it is in silver: an ounce of silver will always be of equal value to an ounce of silver: nor can it ever rise or fall in respect of itself: an ounce of standard silver can never be worth an ounce and a quarter of standard silver; nor one ounce of uncoined silver exchange for an ounce and a quarter of coined silver: the stamp cannot so much debase its value. Indeed the stamp, hindering its free exportation, may make the goldsmith (who profits by the return of money) give one hundred and twentieth, or one-sixtieth, or perhaps, sometimes, one-thirtieth more, that is, *5s. 2½d. 5s. 3d.* or *5s. 4d.* the ounce of coined silver for uncoined, when there is need of sending silver beyond seas; as there always is, when the balance of trade will not supply our wants, and pay our debts there. But much beyond this the goldsmith will never give for bullion; since he can make it out of coined money at a cheaper rate.

It is said bullion is risen to *6s. 5d.* the ounce, *i. e.* that an ounce of uncoined silver will exchange for an ounce and a quarter of coined silver. If any one can believe this, I will put this short case to him: He has of bullion, or standard, uncoined silver, two round plates, each of an exact size and weight of a crown-piece: he has besides, of the same bullion, a round plate of the weight and size of a shilling, and another yet less, of an exact weight and size of a three-pence. The two great plates being of equal weight and fineness, I suppose he will allow to be of equal value, and that the two less, joined to either of them, make it one-fifth more worth than the other is by itself, they having all three together one-fifth more silver in them. Let us suppose then one of the greater, and the two less plates to have received the next moment, (by miracle, or by the mill, it matters not how) the mark or stamp of our crown, our shilling, and our three-pence: can any body say, that now they have got the stamp of our mint upon them, they are so fallen in value, or the other unstamped piece so risen, that that unstamped piece, which a moment before was worth only one of

the other pieces, is now worth them all three? Which is to say, that an ounce of uncoined silver is worth an ounce and a quarter of coined. This is what men would persuade us, when they say, that bullion is raised to 6*s.* 5*d.* (of lawful money) the ounce, which I say is utterly impossible. Let us consider this a little further, in another instance. The present milled crown-pieces, say they, will not exchange for an ounce of bullion, without the addition of a shilling and a three-pence of weighty coin added to it. Coin but that crown-piece into 6*s.* 3*d.* and then they say it will buy an ounce of bullion, or else they give up their reason and measure of raising the money. Do that which is allowed to be equivalent to coining of a present milled crown-piece into 6*s.* 3*d.* viz. call it 75 pence, and then also it must by this rule of raising buy an ounce of bullion. If this be so, the self-same milled crown-piece will and will not exchange for an ounce of bullion. Call it 60 pence, and it will not: the very next moment call it 75 pence, and it will. I am afraid nobody can think change of denomination has such power.

Mr. Lowndes supports this his first reason with these words, p. 68: "This reason, which I humbly conceive will appear irrefragable, is grounded upon a truth so apparent, that it may well be compared to an axiom, even in mathematical reasoning; to wit, that, whensoever the intrinsic value of silver in the coin hath been, or shall be, less than the price of silver in bullion, the coin hath, and will be melted down."

This I think, though it be allowed Mr. Lowndes for as apparent a truth, and as certain a maxim as he could wish, yet serves not at all to his purpose of lessening the coin. For when the coin is, as it should be, according to the standard (let the standard be what it will) weighty and unclipped, it is impossible that the value of coined silver should be less than the value or price of uncoined; because, as I have shown, the value and quantity of silver are the same: and where the quantities are equal, the values are equal, excepting only the odds that may be between bullion that may be freely

exported, and coined silver that may not; the odds whereof scarce ever amounts to above 2*d.* per ounce, and rarely to above a penny, or an halfpenny. And this odds (whatever it be) will equally belong to his raised milled money, which cannot be exported, as it will to our present milled money, which cannot be exported, as I shall have occasion to show more particularly hereafter. All this disorder, and a thousand others, come from light and unlawful money being current. For then it is no wonder that bullion should be kept up to the value of your clipped money; that is, that bullion should not be sold by the ounce for less than 6*s.* 5*d.* when that 6*s.* 5*d.* clipped money, paid for it, does not weigh above an ounce. This instance, therefore, of the present price of bullion, proves nothing but that the quantity of silver in money governs the value of it, and not the denomination; as appears, when clipped money is brought to buy bullion. This is a fair trial: silver is set against silver, and by that is seen, whether clipped money be of the same value with weighty of the same denomination, or whether it be not the quantity of silver in it that regulates its value.

I cannot but wonder that Mr. Lowndes, a man so well skilled in the law, especially of the mint, the exchequer, and of our money, should all along in this argument speak of clipped money as if it were the lawful money of England; and should propose by that (which is in effect by the clipper's sheers) to regulate a new sort of coin to be introduced into England. And if he will stand to that measure, and lessen the new coin to the rate of bullion sold in exchange for present, current, clipped money, to prevent its being melted down, he must make it yet much lighter than he proposes; so that raising it, or, to give it its due name, that lessening of it one-fifth will not serve the turn: for I will be bold to say, that bullion now in England is nowhere to be bought by the ounce for 6*s.* 5*d.* of our present, current, clipped money. So that if this rule be true, and nothing can save the weighty coin from melting down, but reducing it to the weight

that clipped money is brought to, he must lessen the money in his new coin much more than one-fifth; for an ounce of standard bullion will always be worth an ounce of clipped money, whether that in tale amounts to 6*s.* 5*d.* 6*s.* 6*d.* 10*s.* or any other number of shillings or pence of the nick-named clipped money. For a piece of silver, that was coined for a shilling, but has but half the silver clipped off, in the law, and in propriety of speech, is no more a shilling than a piece of wood, which was once sealed a yard, is still a yard, when one half of it is broken off.

Let us consider this maxim a little farther: which, out of the language of the mint, in plain English, I think amounts to thus much, viz. "That when an ounce of standard bullion costs a greater number of pence in tale, than an ounce of that bullion can be coined into, by the standard of the mint, the coin will be melted down." I grant it, if bullion should rise to 15 pence the ounce above 5*s.* 2*d.* as is now pretended; which is to say, that an ounce of bullion cannot be bought for less than an ounce and a quarter of the like silver coined. But that, as I have showed, is impossible to be: and every one would be convinced of the contrary, if we had none now but lawful money current. But it is no wonder, if the price and value of things be confounded and uncertain, when the measure itself is lost. For we have now no lawful silver money current amongst us; and therefore cannot talk nor judge right, by our present, uncertain, clipped money, of the value and price of things, in reference to our lawful, regular coin, adjusted and kept to the unvarying standard of the mint. The price of silver in bullion above the value of silver in coin, when clipping has not defaced our current cash (for then the odds is very rarely above a penny, or twopence the ounce) is so far from being a cause of melting down our coin, that this price, which is given above the value of the silver in our coin, is given only to preserve our coin from being melted down: for nobody buys bullion at above 5*s.* 2*d.* the ounce, (which is just the value) for any other reason, but to avoid the crime and hazard of melting down our coin.

I think it will be agreed on all hands, that nobody will melt down our money, but for profit. Now profit can be made by melting down our money but only in two cases.

First, When the current pieces of the same denomination are unequal, and of different weights, some heavier, some lighter: for then the traders in money cull out the heavier, and melt them down with profit. This is the ordinary fault of coining by the hammer, wherein it usually sufficed, that a bar of silver was cut into as many half-crowns, or shillings, as answered its whole weight; without being very exact in making each particular piece of its due weight; whereby some pieces came to be heavier and some lighter, than by the standard they should. And then the heavier pieces were culled out, and there was profit to be made (as one easily perceives) in melting them down. But this cause of melting down our money is easily prevented, by the exacter way of coining by the mill, in which each single piece is brought to its just weight. This inequality of pieces of the same denomination, is to be found in our money, more than ever, since clipping has been in fashion: and therefore it is no wonder that, in this irregular state of our money, one complaint is, that the heavy money is melted down. But this also the making clipped money go at present for its weight, (which is a sudden reducing of it to the standard) and then, by degrees, recoining it into milled money, (which is the ultimate and more complete reducing it to the standard) perfectly cures.

The other case, wherein our money comes to be melted down, is a losing trade; or, which is the same thing in other words, an over-great consumption of foreign commodities. Whenever the over-balance of foreign trade makes it difficult for our merchants to get bills of exchange, the exchange presently rises, and the returns of money raise them in proportion to the want of money Englishmen have in any parts beyond seas. They who thus furnish them with bills, not being able to satisfy their correspondents, on whom those bills are drawn, with the product of our commodities there,

must send silver from hence to reimburse them, and repay the money they have drawn out of their hands. Whilst bullion may be had for a small price more than the weight of our current cash, these exchangers generally choose rather to buy bullion, than run the risk of melting down our coin, which is criminal by the law. And thus the matter for the most part went, whilst milled and clipped money passed promiscuously in payment: for so long a clipped half-crown was as good here as a milled one, since one passed, and could be had as freely as the other. But as soon as there began to be a distinction between clipped and unclipped money, and weighty money could no longer be had for the light, bullion (as was natural) arose; and it would fall again to-morrow to the price it was at before, if there were none but weighty money to pay for it. In short, whenever the whole of our foreign trade and consumption exceeds our exportation of commodities, our money must go to pay our debts so contracted, whether melted or not melted down. If the law makes the exportation of our coin penal, it will be melted down; if it leaves the exportation of our coin free, as in Holland, it will be carried out in specie. One way or other, go it must, as we see in Spain; but whether melted down, or not melted down, it matters little: our coin and treasure will be both ways equally diminished, and can be restored only by an over-balance of our whole exportation, to our whole importation of consumable commodities. Laws made against exportation of money or bullion will be all in vain. Restraint, or liberty in that matter, makes no country rich or poor: as we see in Holland, which had plenty of money under the free liberty of its exportation, and Spain in great want of money under the severest penalties against carrying of it out. But the coining, or not coining our money, on the same foot it was before, or in bigger or less pieces, and under whatsoever denominations you please, contributes nothing to, or against its melting down, or exportation, so our money be all kept, each species in its full weight of silver, according to the standard: for if some be heavier, and

some lighter, allowed to be current, so under the same denomination the heavier will be melted down, where the temptation of profit is considerable, which in well-regulated coin kept to the standard cannot be. But this melting down carries not away one grain of our treasure out of England. The coming and going of that depends wholly upon the balance of our trade; and therefore it is a wrong conclusion which we find, p. 71, "That continuing either old or new coins on the present foot will be nothing else but furnishing a species to melt down at an extravagant profit, and will encourage a violent exportation of our silver, for the sake of the gain only, till we shall have little or none left." For example: let us suppose all our light money new coined, upon the foot that this gentleman would have it, and all our old milled crowns going for 75 pence, as he proposes, and the rest of the old milled money proportionably; I desire it to be showed how this would hinder the exportation of one ounce of silver, whilst our affairs are in the present posture. Again, on the other side, supposing all our money were now milled coin upon the present foot, and, our balance of trade changing, our exportation of commodities were a million more than our importation, and likely to continue so yearly; whereof one half was to Holland, and the other to Flanders, there being an equal balance between England and all other parts of the world we trade to: I ask, what possible gain could any Englishman make, by melting down and carrying out our money to Holland and Flanders, when a million was to come thence hither, and Englishmen had more there already than they knew how to use there, and could not get home without paying dear there for bills of exchange? If that were the case of our trade, the exchange would presently fall here, and rise there beyond the par of their money to ours, *i. e.* an English merchant must give in Holland more silver for the bills he bought there, than he should receive upon those bills here, if the two sums were weighed one against the other: or run the risque of bringing it home in

specie. And what then could any Englishman get by exporting money or silver thither?

These are the only two cases wherein our coin can be melted down with profit; and I challenge any one living to show me any other. The one of them is removed only by a regular just coin, kept equal to the standard; be that what it will, it matters not, as to the point of melting down of the money. The other is to be removed only by the balance of our trade kept from running us behind-hand, and contracting debts in foreign countries by an over-consumption of their commodities.

To those who say, that the exportation of our money, whether melted down, or not melted down, depends wholly upon our consumption of foreign commodities, and not at all upon the sizes of the several species of our money, which will be equally exported, or not exported, whether coined upon the old or the proposed new foot: Mr. Lowndes replies:

1. That "the necessity of foreign expense, and exportation to answer the balance of trade, may be diminished, but cannot in any sense be augmented, by raising the value of our money."

I beg his pardon, if I cannot assent to this. Because the necessity of our exportation of money, depending wholly upon the debts which we contract in foreign parts, beyond what our commodities exported can pay; the coining our money in bigger or less pieces, under the same or different denominations, or on the present or proposed foot, in itself neither increasing those debts, nor the expenses that make them, can neither augment nor diminish the exportation of our money.

2. He replies, p. 72, That melters of the coin "will have less profit by fourteen-pence halfpenny in the crown," when the money is coined upon the new foot.

To this I take liberty to say, that there will not be a farthing more profit in melting down the money, if it were all new milled money, upon the present foot,

than if it were all new coined, as is proposed, one-fifth lighter. For whence should the profit arise more in the one than the other? But Mr. Lowndes goes upon this supposition; That standard bullion is now worth six shillings and five-pence an ounce of milled money, and would continue to sell for six shillings and five-pence the ounce, if our money were all weighty milled money: both which I take to be mistakes, and think I have proved them to be so.

3. He says, "It is hoped that the exchange to Holland may be kept at a stand, or at least from falling much lower." I hope so too. But how that concerns this argument, or the coining of the money upon a new foot, I do not see.

4. He says, p. 73, "There is a great difference, with regard to the service or disservice of the public, between carrying out bullion, or coin for necessary uses, or for prohibiting commodities." The gain to the exporters, which is that which makes them melt it down and export it, is the same in both cases. And the necessity of exporting it is the same. For it is to pay debts, which there is an equal necessity of paying, when once contracted, though for useless things. They are the goldsmiths and dealers in silver, that usually export what silver is sent beyond sea, to pay the debts they have contracted by their bills of exchange. But those dealers in exchange seldom know, or consider, how they, to whom they give their bills, have, or will employ, the money they receive upon those bills. Prohibited commodities, it is true, should be kept out, and useless ones impoverish us by being brought in. But this is the fault of our importation: and there the mischief should be cured by laws, and our way of living. For the exportation of our treasure is not the cause of their importation, but the consequence. Vanity and luxury spends them: that gives them vent here: that vent causes their importation: and when our merchants have brought them, if our commodities will not be enough, our money must go to pay for them. But what this paragraph has in it against continuing our

coin upon the present foot, or for making our coin lighter, I confess here again, I do not see.

It is true what Mr. Lowndes observes here, the importation of gold, and the going of guineas at 30*s.* has been a great prejudice and loss to the kingdom. But that has been wholly owing to our clipped money, and not at all to our money being coined at five shillings and two-pence the ounce; nor is the coining our money lighter the cure of it. The only remedy for that mischief, as well as a great many others, is the putting an end to the passing of clipped money by tale, as if it were lawful coin.

5. His fifth head, p. 74, is to answer those, who hold, that, by the lessening our money one-fifth, all people, who are to receive money upon contracts already made, will be defrauded of twenty per cent. of their due: and thus all men will lose one-fifth of their settled revenues, and all men, that have lent money, one-fifth of their principal and use. To remove this objection, Mr. Lowndes says, that silver in England is grown scarce, and consequently dearer, and so is of higher price. Let us grant for the present, it is of higher price (which how he makes out, I shall examine by and by). This, if it were so, ought not to annul any man's bargain, nor make him receive less in quantity than he lent. He was to receive again the same sum, and the public authority was guarantee, that the same sum should have the same quantity of silver, under the same denomination. And the reason is plain, why in justice he ought to have the same quantity of silver again, notwithstanding any pretended rise of its value. For if silver had grown more plentiful, and by consequence (by our author's rule) cheaper, his debtor would not have been compelled, by the public authority, to have paid him, in consideration of its cheapness, a greater quantity of silver than they contracted for. Cocoa-nuts were the money of a part of America, when we first came thither. Suppose then you had lent me last year 300, or fifteen score cocoa-nuts, to be repaid this year, would you be satisfied, and think yourself

paid your due, if I should tell you, cocoa-nuts were scarce this year, and that fourscore were of as much value this year as a hundred the last; and that therefore you were well and fully paid, if I restored to you only 240 for the 300 I borrowed? Would you not think yourself defrauded of two-thirds of your right by such a payment? Nor would it make any amends for this to justice, or reparation to you, that the public had (after your contract, which was made for fifteen score) altered the denomination of score, and applied it to sixteen instead of twenty. Examine it, and you will find this just the case, and the loss proportionable in them both; that is, a real loss of twenty per cent. As to Mr. Lowndes's proofs, that silver is now one-fifth more value than it was, and therefore a man has right done him, if he receive one-fifth less than his contract, I fear none of them will reach Mr. Lowndes's point. He saith, p. 77, "By daily experience nineteen penny-weights, and three-tenths of a penny-weight of sterling silver, which is just the weight of a crown-piece, will purchase more coined money than five unclipped shillings." I wish he had told us where this daily experience he speaks of is to be found: for I dare say nobody hath seen a sum of unclipped shillings paid for bullion any where these twelve months, to go no further back.

In the next place, I wish he had told us how much more than five lawful milled shillings bullion of the weight of a crown-piece will purchase. If he had said it would purchase six shillings and three-pence weighty money, he had proved the matter in question. And whoever has the weight of a crown in silver paid him in Mr. Lowndes's new coin, instead of six shillings and three-pence of our present money, has no injury done him, if it will certainly purchase him six shillings and three-pence all unclipped, of our present money. But every one, at first sight, perceives this to be impossible, as I have already proved it. I have in this the concurrence of Mr. Lowndes's new scheme, to prove it to be so. For, p. 62, he proposes that his silver unit, having the weight and fineness of a present unclipped

crown-piece, should go for 75 pence; and that the present shilling should go for 15 pence; by which establishment there will be 75 pence in his unit, and 93 pence three-farthings in six shillings and three-pence, weighty money of the present coin; which is an undeniable confession, that it is as impossible for his silver unit, having no more silver in it than a present unclipped crown, to be worth, and so to purchase, six unclipped shillings and three-pence of our present money; as it is for 75 pence to be worth 93 of the same pence, or 75 to be equal to 93.

If he means by more, that his sterling silver of the weight of a crown-piece will purchase a penny, or two-pence more than five unclipped shillings, which is the most, and which is but accidental too; what is this rise of its value to 15 pence? And what amends will one-sixtieth (a little more or less) rise in value, make for one-fifth diminished in weight, and lost in quantity? which is all one as to say, that a penny, or thereabouts, shall make amends for fifteen-pence taken away.

Another way to recommend his new coin to those who shall receive it, instead of the present weightier coin, he tells them, p. 77, it will pay as much debt, and purchase as much commodities, as our present money, which is one-fifth heavier: what he says of debts is true. But yet I would have it well considered by our English gentlemen, that though creditors will lose one-fifth of their principal and use, and landlords will lose one-fifth of their income, yet the debtors and tenants will not get it. It will be asked, who then will get it? Those, I say, and those only, who have great sums of weighty money (whereof one sees not a piece now in payments) hoarded up by them, will get by it. To those, by the proposed change of our money, will be an increase of one-fifth added to their riches, paid out of the pockets of the rest of the nation. For what these men received for four shillings, they will pay again for five. This weighty money hoarded up, Mr. Lowndes, p. 105, computes at one million and six hundred thousand pounds. So that, by raising our money one-fifth, there will three hundred and twenty thousand pounds

be given to those, who have hoarded up our weighty money; which hoarding up of money is thought by many to have no other merit in it, than the prejudicing our trade and public affairs, and increasing our necessities, by keeping so great a part of our money from coming abroad, at a time when there was so great need of it. If the sum of unclipped money in the nation be, as some suppose, much greater; then there will, by this contrivance of the raising our coin, be given to these rich hoarders much above the aforesaid sum of three hundred and twenty thousand pounds of our present money. Nobody else, but these hoarders, can get a farthing by this proposed change of our coin; unless men in debt have plate by them, which they will coin to pay their debts. Those too, I must confess, will get one-fifth by all the plate of their own, which they shall coin and pay debts with, valuing their plate at bullion; but if they shall consider the fashion of their plate, what that cost when they bought it, and the fashion that new plate will cost them, if they intend ever to have plate again, they will find this one-fifth seeming present profit, in coining their plate to pay their debts, amounts to little or nothing at all. Nobody then but the hoarders will get by this twenty per cent.; and I challenge any one to show, how any body else (but that little in the case of plate coined to pay debts) shall get a farthing by it. It seems to promise fairest to the debtors: but to them too it will amount to nothing; for he, that takes up money to pay his debts, will receive this new money, and pay it again at the same rate he received it, just as he does now our present coin, without any profit at all; and though commodities (as is natural) shall be raised, in proportion to the lessening of the money, nobody will get by that, any more than they do now, when all things are grown dearer; only he that is bound up by contract to receive any sum, under such a denomination of pounds, shillings, and pence, will find his loss sensibly, when he goes to buy commodities, and make new bargains. The markets and the shops will soon convince him, that his money, which is one-fifth

lighter, is also one-fifth worse; when he must pay twenty per cent. more for all the commodities he buys, with the money of the new foot, than if he bought it with the present coin.

This Mr. Lowndes himself will not deny, when he calls to mind what he himself, speaking of the inconveniencies we suffer by our clipped money, says, p. 115. "Persons, before they conclude in any bargains, are necessitated first to settle the price or value of the very money they are to receive for their goods; and if it be in clipped or bad money, they set the price of their goods accordingly; which I think has been one great cause of raising the price, not only of merchandize, but even of edibles, and other necessaries for the sustenance of the common people, to their great grievance." That every one who receives money, after the raising our money, on contracts made before the change, must lose twenty per cent. in all he shall buy, is demonstration, by Mr. Lowndes's own scheme. Mr. Lowndes proposes that there should be shillings coined upon the new foot, one-fifth lighter than our present shillings, which should go for twelve-pence a-piece; and that the unclipped shillings of the present coin should go for fifteen-pence a-piece; and the crown for seventy-five pence. A man, who has a debt of a hundred pounds owing him, upon bond, or lease, receives it in these new shillings, instead of lawful money of the present standard; he goes to market with twenty shillings in one pocket of this new money, which are valued at 240 pence; and in the other pocket with four milled crown-pieces, (or twenty milled shillings of the present coin) which are valued at three hundred pence, which is one-fifth more: it is demonstration then, that he loses one-fifth, or twenty per cent. in all that he buys, by the receipt of this new money, for the present coin, which was his due; unless those he deals with will take four for five pence, or four shillings for five shillings. He buys, for example, a quart of oil for fifteen-pence: if he pay for it with the old money in one pocket, one shilling will do it: if with

the new money in the other, he must add three-pence to it, or a quarter of another shilling; and so of all the rest that he pays for, with either the old money, which he should have received his debts in, or with the new, which he was forced to receive for it. Thus far, it is demonstration, he loses twenty per cent. by receiving his debt in a new money thus raised, when he uses it to buy any thing. But to make him amends, Mr. Lowndes tells him, silver is now dearer, and all things consequently will be bought cheaper twenty per cent. And yet at the same time he tells him, in the passage above cited, out of page 115, that all other things are grown dearer. I am sure there is no demonstration, that they will be sold twenty per cent. cheaper. And, if I may credit housekeepers and substantial tradesmen, all sorts of provisions and commodities are lately risen excessively; and, notwithstanding the scarcity of silver, begin to come up to the true value of our clipped money, every one selling their commodities so as to make themselves amends, in the number of light pieces for what they want in weight. A creditor ought to think the new light money equivalent to the present heavier, because it will buy as much commodities. But what if it should fail, as it is ten to one but it will, what security has he for it? He is told so, and he must be satisfied. That salt, wine, oil, silk, naval stores, and all foreign commodities, will none of them be sold us by foreigners for a less quantity of silver than before, because we have given the name of more pence to it, is, I think, demonstration. All our names, (if they are any more to us) are to them but bare sounds; and our coin, as theirs to us, but mere bullion, valued only by its weight; and a Swede will no more sell you his hemp and pitch, or a Spaniard his oil, for less silver, because you tell him silver is scarcer now in England, and therefore risen in value one-fifth than a tradesman of London will sell his commodity cheaper to the Isle of Man, because they are grown poorer, and money is scarce there.

All foreign commodities must be shut out of the number of those that will fall, to comply with our raising

our money. Corn also, it is evident, does not rise or fall, by the differences of more, or less plenty of money, but by the plenty and scarcity that God gives; for our money, in appearance, remaining the same, the price of corn is double one year to what it was the precedent; and therefore we must certainly make account, that, since the money is one-fifth lighter, it will buy one-fifth less corn *communibus annis;* and this being the great expense of the poor, that takes up almost all their earnings, if corn be, *communibus annis,* sold for one-fifth more money in tale, than before the change of our money, they too must have one-fifth more in tale, of the new money, for their wages than they have now; and the day-labourer must have, not only twelve, but fifteen-pence of the new money a-day, which is the present shilling that he has now, or else he cannot live; so that all foreign commodities, with corn and labour, keeping up their value to the quantity of silver they sell for now, and not complying, in the fall of their real price, with the nominal raising of our money, there is not much left, wherein landlords and creditors are to expect the recompense of twenty per cent. abatement of price in commodities, to make up their loss in the lightness of our money they are paid their rents and debts in. It would be easy to show the same thing, concerning our other native commodities, and make it clear that we have no reason to expect they should abate of their present price, any more than corn and labour: but this is enough, and any one who has a mind to it, may trace the rest at his leisure.

And thus I fear the hopes of cheaper pennyworths, which might beguile some men into a belief that landlords and creditors would receive no less by the proposed new money, is quite vanished. But if the promise of better pennyworths, and a fall of all commodities twenty per cent. should hold true, this would not at all relieve creditors and landlords, and set them upon equal terms with their neighbours: because the cheap pennyworths will not be for them alone, but every body else, as well as they, will share in that advantage; so that their silver being diminished one-fifth in their

rents and debts, which are paid them, they would still be twenty per cent. greater losers than their unhoarding neighbours, and forty per cent. greater losers than the hoarders of money; who will certainly get twenty per cent. in the money, whatever happens in the price of things; and twenty per cent. more in the cheapness of commodities, if that promised recompense be made good to creditors and landlords; for the hoarders of money (if the price of things falls) will buy as cheap as they; so that whatever is said of the cheapness of commodities, it is demonstration, (whether that proves true or no) that creditors and landlords, and all those who are to receive money upon bargains made before the proposed change of our coin, will unavoidably lose twenty per cent.

One thing Mr. Lowndes says in this paragraph is very remarkable, which I think decides the question. His words, p. 78, are these: "That if the value of the silver in the coins (by an extrinsic denomination) be raised above the value, or market-price, of the same silver reduced to bullion, the subjects would be proportionably injured or defrauded, as they were formerly in the case of base monies, coined by public authority." It remains therefore only to show, that the market-price of standard bullion is not one-fifth above our coin that is to be raised, and then we have Mr. Lowndes of our side too against its raising. I think it is abundantly proved already, that standard bullion neither is, nor can be, worth one-fifth more than our lawful weighty money: and if it be not, by Mr. Lowndes's confession, there is no need of raising our present legal milled money to that degree; and it is only our clipped money that wants amendment: and when that is recoined and reduced all to milled and lawful money, that then too will have no need of raising. This I shall now prove out of Mr. Lowndes's own words here.

Mr. Lowndes, in the forecited words, compares the value of silver, in our coin, to the value of the same silver reduced to bullion, which he supposing to be as

four to five, makes that the measure of the raising our money. If this be the difference of value between silver in bullion and silver in coin; and if it be true that four ounces of standard bullion be worth five ounces of the same silver coined; or, which is the same thing, that bullion will sell by the ounce for six shillings and five-pence unclipped money; I will take the boldness to advise his majesty to buy, or to borrow any where so much bullion, or, rather than be without it, melt down so much plate, as is equal in weight to twelve hundred pounds sterling of our present milled money. This let him sell for milled money; and, according to our author's rule, it will yield fifteen hundred pounds. Let that fifteen hundred pounds be reduced into bullion, and sold again, and it will produce eighteen hundred and sixty pounds; which eighteen hundred and sixty pounds of weighty money being reduced into bullion will still produce one-fifth more in weight of silver, being sold for weighty money; and thus his majesty may get at least three hundred and twenty thousand pounds by selling of bullion for weighty money, and melting that down into bullion, as fast as he receives it; till he has brought into his hands the million and six hundred thousand pounds, which Mr. Lowndes computes there is of weighty money left in England.

I doubt not but every one who reads it will think this a very ridiculous proposition. But he must think it ridiculous for no other reason, but because he sees it is impossible that bullion should sell for one-fifth above its weight of the same silver coined; that is, that an ounce of standard silver should sell for six shillings and five-pence of our present weighty money; for if it will, it is no ridiculous thing that the king should melt down and make that profit of his money.

If our author's rule (p. 78, where he says, "That the only just and reasonable foot, upon which the coins should be current, is the very price of the silver thereof, in case it be molten in the same place where coins arè made current") be to be observed; our money is to be raised but an halfpenny, or at most a

penny in five shillings: for that was the ordinary odds in the price between bullion and coined silver, before clipping had deprived us, in commerce, of all our milled and weighty money. And silver in standard bullion would not be in value one jot above the same silver in coin, if clipped money were not current by tale, and coined silver, (as Mr. Lowndes proposes, p. 73) as well as bullion, had the liberty of exportation. For when we have no clipped money, but all our current coin is weight, according to the standard, all the odds of value that silver in bullion has to silver in coin, is only owing to the prohibition of its exportation in money; and never rises, nor can rise, above what the goldsmith shall estimate the risk and trouble of melting it down; which is so little, that the importers of silver could never raise it to above a penny an ounce, but at such times as the East India Company, or some foreign sale, calling for a great quantity of silver at a time, made the goldsmiths scramble for it; and so the importers of bullion raise its price upon them, according to the present need of great quantities of silver which every goldsmith (eager to engross to himself as much as he could) was content to pay high for, rather than go without: his present gains from those whom he furnished, and whom otherwise he could not furnish, making him amends.

The natural value then between silver in bullion and in coin is (I say) every where equal; bating the charge of coinage, which gives the advantage to the side of the coin. The ordinary odds here in England between silver in bullion, and the same in our coin, is, by reason that the stamp hinders its free exportation, about a penny in the crown. The accidental difference, by reason of sudden occasions, is sometimes (but rarely) two-pence in five shillings, or somewhat more in great urgencies. And since the ordinary rate of things is to be taken as the measure of their price, and Mr. Lowndes tells us, p. 78, "That if the value of the silver in their coins should be raised above the value or market-price of the same silver reduced to bullion, the subject would be proportionably injured and defrauded;"

I leave him to make the inference, what will be the consequence in England, if our coin be raised here one-fifth, or twenty per cent.

Mr. Lowndes says farther, p. 80, That silver has a price. I answer, silver to silver can have no other price, but quantity for quantity. If there be any other difference in value, it is or can be nothing but one of these two: first, either the value of the labour employed about one parcel of silver more than another, makes a difference in their price; and thus fashioned plate sells for more than its weight of the same silver; and in countries where the owners pay for the coin, silver in coin is more worth than its weight in bullion; but here, where the public pays the coinage, they are of very near equal value, when there is no need of exportation: for then there is no more odds than the trouble of carrying the bullion to the mint and fetching again are worth; or the charge of refining so much of it as will bring it to standard, if it be worse than standard.

Or, secondly, some privilege belonging to one parcel of silver, which is denied to another, viz. here in England a liberty of exportation allowed to silver in bullion, denied to silver stamped. This when there is need of exportation of silver, gives some small advantage of value to uncoined silver here above coined; but that is ordinarily very inconsiderable, and can never reach to one-fifth, nor half one-fifth, as has been already shown. And this I think will answer all that is said about the price of silver in that place.

It is true what Mr. Lowndes says, in the next words, p. 81, "That five shillings, coined upon the foot proposed, will actually contain more real and intrinsic value of silver by a great deal, than is in the current money now commonly applied to the payment of the said rents, revenues, and debts." But will he hence conclude, because there is now lost in those rents, revenues, and debts, a great deal more than twenty per cent. under the present irregularity of our coin, and the robbery in clipped money, without any the least neglect, or miscarriage in the owner, that entitled him to that

loss, that therefore it is just that the loss of twenty per cent. be established on him by law for the future, in the reforming of our coin?

Mr. Lowndes's second reason for lessening of our coin, we have, p. 82, in these words, "The value of the silver in the coin ought to be raised, to encourage the bringing of bullion to the mint to be coined. This raising of money is in effect, as has been seen, nothing but giving a denomination of more pence to the same quantity of silver, viz. That the same quantity of silver shall hereafter be called seventy-five pence, which is now called but sixty-pence. For that is all is done, as is manifest, when a crown-piece, which now but goes for sixty-pence, shall be made to go for seventy-five pence; for it is plain it contains nothing of silver, or worth in it, more than it did before. Let us suppose that all our silver coin now in England were sixpences, shillings, half-crowns, and crowns, all milled money, full weight, according to the present standard; and that it should be ordered that for the future the crown-piece, instead of going for sixty-pence, should go for seventy-five pence, and so proportionably of all the other pieces; I ask then, how such a change of denomination shall bring bullion to the mint to be coined, and from whence? I suppose this change of names, or ascribing to it more imaginary parts of any denomination, has no charms in it to bring bullion to the mint to be coined: for whether you call the piece coined twelve-pence, or fifteen-pence, or sixty, or seventy-five, a crown or a sceptre, it will buy no more silk, salt, or bread than it would before. That therefore cannot tempt people to bring it to the mint. And if it will pay more debts, that is perfect defrauding, and ought not to be permitted. Next, I ask, from whence shall this raising fetch it? For bullion cannot be brought hither to stay here, whilst the balance of our trade requires all the bullion we bring in to be exported again, and more silver out of our former stock with it, to answer our exigencies beyond seas. And whilst it is so, the goldsmiths and returners of money will give more for

bullion to export, than the mint can give for it to coin; and so none of that will come to the mint.

But, says our author, p. 83, "An halfpenny an ounce profit, which will be in the proposed coin, above the present price of sterling bullion, will be an encouragement to those who have English plate to bring it in to be coined." I doubt whether there will be any such profit; for I imagine that standard bullion cannot now be bought per ounce for six shillings and five-pence of our clipped running cash, which is the measure whereby Mr. Lowndes determines of the price of sterling silver. But, taking this halfpenny an ounce profit for granted, it will not bring to the mint any plate, whose fashion is valued by the owner at above an halfpenny per ounce; and how much then it is like to bring to the mint is easy to guess.

The true and only good reason that brings bullion to the mint to be coined, is the same that brings it to England to stay there, viz. The gain we make by an over-balance of trade. When our merchants carry commodities abroad to a greater value than those they bring home, the overplus comes to them in foreign coin, or bullion, which will stay here, when we gain by the balance of our whole trade. For then we can have no debts beyond sea to be paid with it. In this thriving posture of our trade, those to whose share this bullion falls not having any use of it, whilst it is in bullion, choose to carry it to the mint to have it coined there, whereby it is of more use to them for all the business of silver in trade, or purchasing land; the mint having ascertained the weight and fineness of it: so that on any occasion every one is ready to take it at its known value, without any scruple; a convenience that is wanting in bullion. But when our trade runs on the other side, and our exported commodities will not pay for those foreign ones we consume, our treasure must go; and then it is in vain to bestow the labour of coining on bullion that must be exported again. To what purpose is it to make it pass through our mint, when it will away? The less pains and charge it costs us the better.

His third reason, p. 83, is, that this raising our coin, by making it "more in tale, will make it more commensurate to the general need thereof," and thereby hinder the increase of hazardous paper credit, and the inconveniency of bartering.

Just as the boy cut his leather into five quarters (as he called them) to cover his ball, when cut into four quarters it fell short; but after all his pains, as much of his ball lay bare as before: if the quantity of coined silver, employed in England, fall short, the arbitrary denomination of a greater number of pence given to it, or, which is all one, to the several coined pieces of it, will not make it commensurate to the size of our trade, or the greatness of our occasions. This is as certain, as that if the quantity of a board, which is to stop a leak of a ship fifteen inches square, be but twelve inches square, it will not be made to do it, by being measured by a foot, that is divided into fifteen inches, instead of twelve, and so having a larger tale, or number of inches in denomination given to it.

This, indeed, would be a convincing reason, if sounds would give weight to silver, and the noise of a greater number of pence (less in quantity proportionably as they are more in number) were a larger supply of money, which our author, p. 84, says our occasions require, and which he by an increase of the tale of pence hopes to provide. But that mistake is very visible, and shall be farther shown in the business of bartering.

The necessity of trust and bartering is one of the many inconveniencies springing from the want of money. This inconvenience the multiplying arbitrary denominations will no more supply, nor any ways make our scarcity of coin commensurate to the need there is of it, than if the cloth which was providing for clothing the army, falling short, one should hope to make it commensurate to that need there is of it, by measuring it by a yard one-fifth shorter than the standard, or changing the standard of the yard, and so getting the full denomination of yards, necessary according to the present measure. For this is all will be done by raising our coin, as is proposed. All it amounts to is no

more but this, viz. That each piece, and consequently our whole stock of money, should be measured and denominated by a penny, one-fifth less than the standard.

Where there is not coined silver, in proportion to the value of the commodities that daily change owners in trade, there is a necessity of trust or bartering, *i. e.* changing commodities for commodities, without the intervention of money. For example: let us suppose in Bermudas but an hundred pounds in ready money, but that there is every day there a transferring of commodities from one owner to another, to the value of double as much. When the money is all got into hands, that have already bought all that they have need of, for that day, whoever has need of any thing else that day, must either go on tick, or barter for it, *i. e.* give the commodities he can best spare for the commodities he wants, *v. g.* sugar for bread, &c. Now it is evident here, that changing the denomination of the coin they already have in Bermudas, or coining it over again under new denominations, will not contribute in the least towards the removing this necessity of trust, or bartering. For the whole silver they have in coin being but four hundred ounces; and the exchange of the commodities made in a distance of time, wherein this money is paid not above once, being to the value of eight hundred ounces of silver; it is plain, that one half of the commodities, that shift hands, must of necessity be taken upon credit, or exchanged by barter; those who want them having no money to pay for them. Nor can any alteration of the coin, or denomination of these four hundred ounces of silver, help this; because the value of the silver, in respect of other commodities, will not thereby be at all increased; and the commodities changed, being (as in the case) double in value to the four hundred ounces of coined silver to be laid out in them, nothing can supply this want but a double quantity, *i. e.* eight hundred ounces of coined silver; how denominated, it matters not so there be a fit proportion of small pieces to supply small payments.

Suppose the commodities passing every day in England, in markets and fairs, between strangers, or such

as trust not one another, were to the value of a million of ounces of silver; and there was but half a million of ounces of coined silver in the hands of those who wanted those commodities; it is demonstration they must truck for them, or go without them. If then the coined silver of England be not sufficient to answer the value of commodities moving in trade amongst us, credit, or barter, must do it. Where the credit and money fail, barter alone must do it: which being introduced by the want of a greater plenty of coined silver, nothing but a greater plenty of coined silver can remove it. The increase of denomination does, or can do nothing in the case; for it is silver by its quantity, and not denomination, that is the price of things, and measure of commerce; and it is the weight of silver in it, and not the name of the piece, that men estimate commodities by, and exchange them for.

If this be not so, when the necessity of our affairs abroad, or ill husbandry at home, has carried away half our treasure, and a moiety of our money is gone out of England; it is but to issue a proclamation, that a penny shall go for two-pence, six-pence for a shilling, half a crown for a crown, &c. and immediately, without any more ado, we are as rich as before. And when half the remainder is gone, it is but doing the same thing again, and raising the denomination anew, and we are where we were, and so on: where, by supposing the denomination raised $\frac{16}{15}$, every man will be as rich with an ounce of silver in his purse, as he was before, when he had sixteen ounces there; and in as great plenty of money, able to carry on his trade, without bartering; his silver, by this short way of raising, being changed into the value of gold: for when silver will buy sixteen times as much wine, oil, and bread, &c. to-day, as it would yesterday, (all other things remaining the same, but the denomination) it hath the real worth of gold.

This, I guess, every body sees cannot be so. And yet this must be so, if it be true that raising the denomination one-fifth can supply the want, or one jot raise the value of silver in respect of other commodities, *i. e.* make a less quantity of it to-day buy a greater quantity

of corn, oil, and cloth, and all other commodities, than it would yesterday, and thereby remove the necessity of bartering. For, if raising the denomination can thus raise the value of coin, in exchange for other commodities, one-fifth, by the same reason it can raise it two-fifths, and afterwards three-fifths, and again, if need be, four-fifths, and as much farther as you please. So that, by this admirable contrivance of raising our coin, we shall be as rich, and as well able to support the charge of the government, and carry on our trade without bartering, or any other inconvenience, for want of money, with sixty thousand ounces of coined silver in England, as if we had six, or sixty millions. If this be not so, I desire any one to show me, why the same way of raising the denomination, which can raise the value of money, in respect of other commodities, one-fifth, cannot, when you please, raise it to another fifth, and so on? I beg to be told where it must stop, and why at such a degree, without being able to go farther.

It must be taken notice of, that the raising I speak of here, is the raising of the value of our coin in respect of other commodities (as I call it all along) in contradistinction to raising the denomination. The confounding of these in discourses concerning money, is one great cause, I suspect, that this matter is so little understood, and so often talked of with so little information of the hearers.

A penny is a denomination no more belonging to eight than to eighty, or to one single grain of silver; and so it is not necessary that there should be sixty such pence, no more nor less, in an ounce of silver, *i. e.* twelve in a piece called a shilling, and sixty in a piece called a crown; such like divisions, being only extrinsical denominations, are every where perfectly arbitrary. For here in England there might as well have been twelve shillings in a penny, as twelve-pence in a shilling, *i. e.* the denomination of the less piece might have been a shilling, and of the bigger a penny. Again, the shilling might have been coined ten times as big as the penny, and the crown ten times as big as the shilling; whereby the shilling would have but ten-pence

in it, and the crown an hundred. But this, however ordered, alters not one jot the value of the ounce of silver in respect of other things, any more than it does its weight. This raising being but giving of names at pleasure to aliquot parts of any piece, viz. that now the sixtieth part of an ounce of silver shall be called a penny, and to-morrow that the seventy-fifth part of an ounce shall be called a penny, may be done with what increase you please. And thus it may be ordered by a proclamation, that a shilling shall go for twenty-four pence, an half-crown for sixty instead of thirty-pence, and so of the rest. But that an half-crown should be worth, or contain sixty such pence, as the pence were before this change of denomination was made, that no power on earth can do. Nor can any power, but that which can make the plenty or scarcity of commodities, raise the value of our money thus double in respect of other commodities, and make that the same piece, or quantity of silver, under a double denomination, shall purchase double the quantity of pepper, wine, or lead, an instant after such proclamation, to what it would do an instant before. If this could be, we might, as every one sees, raise silver to the value of gold, and make ourselves as rich as we pleased. But it is but going to market with an ounce of silver of one hundred and twenty-pence, to be convinced that it will purchase no more than an ounce of silver of sixty-pence. And the ringing of the piece will as soon purchase more commodities, as its change of denomination, and the multiplied name of pence, when it is called six score instead of sixty.

It is proposed that the twelve-pence should be raised to fifteen-pence, and the crown to seventy-five pence, and so proportionably of the rest: but yet that the pound sterling should not be raised. If there be any advantage in raising, why should not that be raised too? And as the crown-piece is raised from sixty to seventy-five pence, why should not the pound sterling be raised in the same proportion, from two hundred and forty-pence to three hundred-pence?

Further, If this raising our coin can so stretch our money, and enlarge our pared remainder of it, as "to make it more commensurate to the general need thereof, for carrying on the common traffic and commerce of the nation, and to answer occasions requiring a large supply of money," as Mr. Lowndes tells us in his third reason, p. 83, why are we so niggardly to ourselves in this time of occasion, as to stop at one-fifth? Why do we not raise it one full moiety, and thereby double our money? If Mr. Lowndes's rule, p. 78, "That if the value of the silver in the coin should be raised above the market-price of the same silver, reduced to bullion, the subject would be proportionably injured and defrauded," must keep us from these advantages, and the public care of justice stop the raising of the money at one-fifth; because, if our money be raised beyond the market-price of bullion, it will be so much defrauding of the subject: I then say, it must not be raised one-fifth, nor half one-fifth, that is, it must not be raised fifteen-pence in the crown: no, nor five-pence. For I deny that the market-price of standard bullion ever was, or ever can be five shillings seven-pence of lawful weighty money the ounce: so that if our present milled money be raised one-fifth, the subject will, by Mr. Lowndes's rule, be defrauded sixteen per cent., nay, above eighteen per cent. For the market-price of standard bullion being ordinarily under five shillings four-pence the ounce, when sold for weighty money, (which is but one-thirtieth) whatever our present milled money is raised above one-thirtieth, it is, by Mr. Lowndes's rule, so much defrauding the subject. For the market-price of any thing, and so of bullion, is to be taken from its ordinary rate all the year round, and not from the extraordinary rise of two or three market-days in a year. And that the market-price of standard silver was not found, nor pretended to be above five shillings and four-pence the ounce, before clipping had left none but light running cash to pay for bullion, or any thing else, is evident from a paper then published, which I took the liberty

to examine in my Considerations of the Consequences of raising the Value of Money," &c. printed 1692. The author of that paper, it is manifest, was not ignorant of the price of silver, nor had a design to lessen its rate, but set down the highest price it then bore.

If then Mr. Lowndes's rule of justice, and care of the subject, be to regulate the rise of our milled money, it must not be raised above one-thirtieth part. If the advantages he promises, of making our money, by raising it one-fifth, "more commensurate to the general need thereof," be to be laid hold on, it is reasonable to raise it higher, "to make it yet more commensurate to the general need there is of it." Whichever of the two Mr. Lowndes will prefer, either reason of state or rule of justice, one-fifth must not be his measure of raising our present milled money. If the advantage of making our money more proportionate to our trade and other necessities be to govern its proposed raising, every one will cry out to Mr. Lowndes, If your way will do what you say, the raising it one-half will be much better than one-fifth, and therefore pray let an half-crown be raised to a crown, and six-pence to a shilling. If equity and the consideration of the subject's property ought to govern in the case, you must not raise our milled crown to above five shillings and four-pence.

If it be here said to me, that I do then allow that our money may be raised one-thirtieth, *i. e.* that the crown-piece should be raised to five shillings and two-pence, and so proportionably of the other species of our coin; I answer, he that infers so, makes his inference a little too quick.

But let us for once allow the ordinary price of standard silver to be five shillings four-pence the ounce, to be paid for in weighty coin (for that must always be remembered, when we talk of the rate of bullion) and that the rate of bullion is the just measure of raising our money. This I say is no reason for the raising our milled crown now to five shillings four-pence, and recoining all our clipped money upon that foot; unless we intend, as soon as that is done, to new raise and coin it again. For, whilst our trade and affairs abroad re-

quire the exportation of silver, and the exportation of our coined silver is prohibited, and made penal by our law, standard bullion will always be sold here for a little more than its weight of coined silver. So that, if we shall endeavour to equal our weighty coined silver to standard bullion, by raising it, whilst there is a necessity of the exportation of silver, we shall do no otherwise than a child, who runs to overtake and get up to the top of his shadow, which still advances at the same rate that he does. The privilege that bullion has to be exported freely, will give it a little advance in price above our coin, let the denomination of that be raised or fallen as you please, whilst there is need of its exportation, and the exportation of our coin is prohibited by law. But this advance will be but little, and will always keep within the bounds, which the risk and trouble of melting down our coin shall set to it, in the estimate of the exporter. He that will rather venture to throw an hundred pounds into his melting-pot, when nobody sees him, and reduce it to bullion, than give an hundred and five pounds for the same weight of the like bullion, will never give five shillings and five-pence of milled money for an ounce of standard bullion; nor buy at that price what he can have near five per cent. cheaper, without any risk, if he will not accuse himself. And I think it may be concluded, that very few, who have furnaces, and other conveniencies ready for melting silver, will give one per cent. for standard bullion, which is under five shillings and three-pence per ounce, who can, only for the trouble of melting it, reduce our coin to as good bullion.

The odds of the price in bullion to coin on this account (which is the only one, when the coin is kept to the standard) can never be the reason for raising our coin to preserve it from melting down: because this price above its weight is given for bullion, only to avoid melting down our coin; and so this difference of price between standard bullion and our coin can be no cause of its melting down.

These three reasons, which I have examined, contain the great advantages, which our author supposes the

proposed raising of our coin will produce; and therefore I have dwelt longer upon them. His remaining six reasons being of less moment, and offering most of them but some circumstantial conveniencies, as to the computation of our money, &c. I shall more briefly pass over. Only before I proceed to them, I shall here set down the different value of our money, collected from our author's history of the several changes of our coin since Edward the First's reign, quite down to this present time. A curious history indeed, for which I think myself, and the world, indebted to Mr. Lowndes's great learning in this sort of knowledge, and his great exactness in relating the particulars.

I shall remark only the quantity of silver was in a shilling, in each of those changes; that so the reader may at first sight, without farther trouble, compare the lessening or increase of the quantity of silver upon every change. For in propriety of speech, the adding to the quantity of silver in our coin, is the true raising of its value; and the diminishing the quantity of silver in it, is the sinking of its value; however they come to be transposed, and used in the quite contrary sense.

If my calculations, from the weight and fineness I find set down in Mr. Lowndes's extract out of the indentures of the mint, have not misled me, the quantity of silver to a grain, which was in a shilling in every change of our money, is set down in the following table:

One shilling contained of fine silver

			Grains.
28	Edw.	1	264
18	Edw.	3	236
27	Edw.	3	213
9	Hen.	5	176
1	Hen	6	142
4	Hen.	6	176
49	Hen.	6	142
1	Hen.	8	118
34	Hen.	8	100

			Grains.
36	Hen.	8	60
37	Hen.	8	40
3	Edw.	6	40
5	Edw.	6	20
6	Edw.	6	88
2	Eliz.		89
43	Eliz.		86

And so it has remained from the 43d year of queen Elizabeth to this day.

Mr. Lowndes's 69

Mr. Lowndes having given us the fineness of the standard silver in every reign, and the number of pieces a pound troy was coined, into closes this history with words to this purpose, page 56, "By this deduction it doth evidently appear, that it hath been a policy constantly practised in the mints of England, to raise the value of the coin in its extrinsic denomination, from time to time, as any exigence or occasion required, and more especially to encourage the bringing of bullion into the realm to be coined." This, indeed, is roundly to conclude for his hypothesis. But I could wish, that from the histories of those times, wherein the several changes were made, he had showed us the exigencies and occasions that produced the raising of the coin, and what effects it had.

If I mistake not, Henry the Eighth's several raisings of our coin brought little increase of silver into England. As the several species of our coin lessened in their respective quantities of silver, so the treasure of the realm decreased too: and he, that found the kingdom rich, did not, as I remember, by all his raising our coin, leave it so.

Another thing, that (from this history) makes me suspect, that the raising the denomination was never found effectively to draw silver into England, is the lowering the denomination, or adding more silver to the species of our coin; as in Henry the Sixth's time, the shilling was increased from one hundred forty-two grains of

silver to one hundred seventy-six; and in the sixth of Edward the Sixth, in whose time raising the denomination seems to have been tried to the utmost, when a shilling was brought to twenty grains of silver. And the great alteration that was then quickly made on the other hand, from twenty to eighty grains at one leap, seems to show that this lessening the silver in our coin had proved prejudicial: for this is a greater change in sinking of the denomination in proportion, than ever was made at once in raising it; a shilling being made four times weightier in silver, the sixth, than it was in the fifth year of Edward the Sixth's reign.

Kingdoms are seldom found weary of the riches they have, or averse to the increase of their treasure. If therefore the raising the denomination did in reality bring silver into the realm, it cannot be thought that they would at any time sink the denomination, which, by the rule of contraries, should be at least suspected to drive or keep it out.

Since, therefore, we are not from matter of fact informed, what were the true motives that caused those several changes in the coin; may we not with reason suspect, that they were owing to that policy of the mint, set down by our author, p. 83, in these words, "That the proposed advance is agreeable to the policy that in past ages hath been practised, not only in our mint, but in the mints of all politic governments; namely, to raise the value of silver in the coin to promote the work of the mint?" As I remember, suitable to this policy of the mint, there was, some two years since, a complaint of a worthy gentleman, not ignorant of it, that the mill in the mint stood still; and therefore there was a proposal offered for bringing grist to the mill.

The business of money, as in all times, even in this our quick-sighted age, hath been thought a mystery: those employed in the mint must, by their places, be supposed to penetrate deepest into it. It is no impossible thing then to imagine, that it was not hard, in the ignorance of past ages, when money was little, and skill in the turns of trade less, for those versed in the busi-

ness and policy of the mint to persuade a prince, especially if money were scarce, that the fault was in the standard of the mint, and that the way to increase the plenty of money was to raise (a well-sounding word) the value of the coin. This could not but be willingly enough hearkened to; when, besides the hopes of drawing an increase of silver into the realm, it brought present gain, by the part which the king got of the money, which was hereupon all coined anew, and the mint officers lost nothing, since it promoted the work of the mint.

This opinion Mr. Lowndes himself gives sufficient grounds for in his book, particularly page 29, where we read these words: "Although the former debasements of the coins, by public authority, especially those in the reigns of king Henry the Eighth, and king Edward the Sixth, might be projected for the profit of the crown, and the projectors might measure that profit by the excessive quantities of alloy, that were mixed with the silver and the gold," (and let me add, or by the quantity of silver lessened in each specie, which is the same thing.) "And though this was enterprised by a prince, who could stretch his prerogative very far upon his people; and was done in times, when the nation had very little commerce, inland or foreign, to be injured or prejudiced thereby; yet experience presently showed, that the projectors were mistaken, and that it was absolutely necessary to have the base money reformed." This, at least, they were not mistaken in, that they brought work to the mint, and a part of the money coined to the crown for seniorage: in both which there was profit. Mr. Lowndes tells us, p. 45, "That Henry the Eighth had to the value of fifty shillings for every pound weight of gold coined." I have met with it somewhere, that formerly the king might take what he pleased for coinage. I know not too, but the flattering name of raising money might prevail then as it does now; and impose so far on them as to make them think the raising, *i. e.* diminishing the silver in their coin, would bring it into the realm, or stay it here, when they found it going out. For if we

may guess at the other by Henry the Eighth's raising, it was probably when, by reason of expense in foreign wars, or ill-managed trade, they found money begin to grow scarce.

The having the species of our coin one-fifth bigger, or one-fifth less than they are at present, would be neither good nor harm to England, if they had always been so. Our standard has continued in weight and fineness, just as it is now, for very near this hundred years last past: and those who think the denomination and size of our money have any influence on the state of our wealth, have no reason to change the present standard of our coin; since under that we have had a greater increase, and longer continuance of plenty of money, than perhaps any other country can show: I see no reason to think, that a little bigger or less size of the pieces coined is of any moment one way or the other. The species of money in any country, of whatsoever sizes, fit for coining, if their proportions to one another be suited to arithmetic and calculations, in whole numbers, and the ways of accounts in that country; if they are adapted to small payments, and carefully kept to their just weight and fineness, can have no harm in them. The harm comes by the change, which unreasonably and unjustly gives away and transfers men's properties, disorders trade, puzzles accounts, and needs a new arithmetic to cast up reckonings, and keep accounts in; besides a thousand other inconveniencies, not to mention the charge of recoining the money; for this may be depended on, that, if our money be raised as is proposed, it will enforce the recoining of all our money, both old and new, (except the new shillings) to avoid the terrible difficulty and confusion there will be in keeping accounts in pounds, shillings, and pence, (as they must be) when the species of our money are so ordered as not to answer those denominations in round numbers.

This consideration leads me to Mr. Lowndes's fifth and sixth reasons, p. 85, wherein he recommends the raising our money in the proportion proposed, for its

convenience, to our accounting by pounds, shillings, and pence; and for obviating perplexity among the common people, he proposes the present weighty crown to go at six shillings three-pence; and the new scepter, or unit, to be coined of the same weight, to go at the same rate; and half-crowns, half-scepters, or half-units, of the weight of the present half-crown, to go for two shillings seven-pence halfpenny: by no number of which pieces can there be made an even pound sterling, or any number of even shillings under a pound; but they always fall into fractions of pounds and shillings, as may be seen by the following table:

	l.	*s.*	*d.*
1 Half-crown, half-scepter, or half-unit piece -	0	3	1½
1 Crown, scepter, or unit piece - - -	0	6	3
3 Half-crown pieces - - -	0	9	4½
2 Crown pieces - - -	0	12	6
5 Half-crown pieces - - -	0	15	7½
3 Crown pieces - - -	0	18	9
7 Half-crown pieces - - -	1	1	10½
4 Crown pieces - - -	1	5	0

The present shilling and new testoon going for fifteen-pence, no number of them make any number of even shillings; but five shillings, ten shillings, fifteen shillings, and twenty shillings; but in all the rest they always fall into fractions.

The like may be said of the present sixpences and future half testoons going for seven-pence halfpenny; the quarter testoons, which are to go for three-pence three-farthings; and the gross and groats, which are to go for fivepence; the half gross or groat, which is to go for two-pence halfpenny, and the prime, which is to go for a penny farthing: out of any tale of each of which species there can no just number of shillings be made, as I think, but five shillings, ten shillings, fifteen shillings, and twenty shillings; but they always fall into fractions. This new-intended shilling alone seems to be suited to our accounting in pounds, shillings, and pence. The great pieces, as scepters and half-scepters, which are made to serve for the payment of greater sums, and are for despatch in tale, will not

in tale fall into even pounds; and I fear it will puzzle a better arithmetician than most countrymen are, to tell, without pen and ink, how many of the lesser pieces (except the shillings) however combined, will make just sixteen or seventeen shillings; and I imagine there is not one countryman of three but may have it for his pains, if he can tell an hundred pounds made up of a promiscuous mixture of the species of this new raised money (excluding the shillings) in a day's time; and that which will help to confound him, and every body else, will be the old crowns, half-crowns, shillings, and sixpences, current for new numbers of pence; so that I take it for granted that if our coin be raised as is proposed, not only all our clipped, but all our weighty and milled money, must of necessity be recoined too; if you would not have trade disturbed, and people more diseased with new money, which they cannot tell, nor keep accounts in, than with light and clipped money, which they are cheated with; and what a charge the new coining of all our money will be to the nation I have computed in another place*. That I think is of some consideration in our present circumstances, though the confusion that this new raised money, I fear, is like to introduce, and the want of money and stop of trade, when the clipped is called in, and the weighty is to be recoined, be of much greater.

His fourth, eighth, and ninth reasons, p. 84 and 86, are taken from the saving our present milled money from being cut and recoined. The end I confess to be good: it is very reasonable that so much excellent coin, as good as ever was in the world, should not be destroyed. But there is, I think, a surer and easier way to preserve it than what Mr. Lowndes proposes. It is past doubt, it will be in no danger of recoining, if our money be kept upon the present foot: but if it be raised, as Mr. Lowndes proposes, all the present milled money will be in danger, and the difficulty of counting it, upon

* Vid. Short Observations on a Paper, entitled, For encouraging Coining, &c. p. 117 of this vol.

the new proposed foot, will enforce it to be recoined into new pieces of crowns, half-crowns, shillings, and six-pences, that may pass for the same number of pence the present do, viz. 60, 30, 12, and 6, as I have above shown. He says in his fourth reason, that "if pieces having the same bigness should have different values, it might be difficult for the common people (especially those not skilled in arithmetic) to compute how many of one kind will be equal to the sum of another." Such difficulties and confusion in counting money, I agree with him, ought carefully to be avoided; and therefore, since if pieces having the same bigness and stamp, which the people are acquainted with, shall have new values different from those which people are accustomed to; and these new values shall in numbers of pence not answer our way of accounting by pounds and shillings; "It will be difficult for the common people (especially those not skilled in arithmetic) to compute how many of any one kind will make any sum they are to pay or receive;" especially when the numbers of any one kind of pieces will be brought into so few even sums of pounds and shillings. And thus Mr. Lowndes's argument here turns upon himself, and is against raising our coin to the value proposed by him, from the confusion it will produce.

His 8th reason, p. 86, we have in these words: "It is difficult to conceive how any design of amending the clipped money can be compassed, without raising the value of the silver remaining in them, because of the great deficiency of the silver clipped away, which (upon recoining) must necessarily be defrayed or borne one way or other."

It is no difficulty to conceive that clipped money, being not lawful money, should be prohibited to pass for more than its weight. Next, it is no difficulty to conceive that clipped money, passing for no more than its weight, and so being in the state of standard bullion, which cannot be exported, should be brought to the mint, and there exchanged for weighty money. By this way, "it is no difficulty to conceive how the amending the clipped money may be compassed, be-

cause this way the deficiency of the silver clipped away will certainly be defrayed or borne one way or other."

And thus I have gone over all Mr. Lowndes's reasons for raising our coin; wherein, though I seem to differ from him, yet I flatter myself it is not altogether so much as at first sight may appear; since by what I find in another part of his book, I have reason to judge he is a great deal of my mind; for he has five very good arguments for continuing the present standard of fineness, each of which is as strong for continuing also the present standard of weight, *i. e.* continuing a penny of the same weight of standard silver which at present it has. He that has a mind to be satisfied of this, may read Mr. Lowndes's first five reasons for continuing the present standard of fineness, which he will find in his 29, 30, 31, 32 pages of his report; and when Mr. Lowndes himself has again considered what there is of weight in them, and how far it reaches, he will at least not think it strange if they appear to me and others good arguments against putting less silver into our coin of the same denomination, let that diminution be made what way it will.

What Mr. Lowndes says about gold coins, p. 88, &c. appears to me highly rational, and I perfectly agree with him; excepting only that I do not think gold is in regard of silver risen one-third in England, which I think may be thus made out: A guinea weighing five penny-weights and nine grains, or one hundred and twenty-nine grains; and a pound sterling weighing one thousand eight hundred and sixty grains; a guinea at twenty shillings, is as one hundred and twenty-nine to one thousand eight hundred and sixty; that is, as one to fourteen and an half.

A guinea at two and twenty shillings, is as one hundred and twenty-nine to two thousand forty-two, *i. e.* as one to sixteen.

A guinea at thirty shillings, is as one hundred twenty-nine to two thousand seven hundred eighty-four, *i. e.* as one to twenty-one and an half, near.

He therefore that receives twenty shillings milled money for a guinea, receives one thousand eight hundred and sixty grains standard silver for one hundred and twenty-nine grains of standard gold, *i. e.* fourteen and an half for one.

He who receives two and twenty shillings milled money for a guinea, has two thousand forty-two grains standard silver for one hundred and twenty-nine grains standard gold, *i. e.* sixteen for one.

He who receives thirty shillings milled money for a guinea, has two thousand seven hundred eighty-four grains standard silver for one hundred twenty-nine grains of gold, *i. e.* twenty-one and an half for one.

But the current cash being (upon trials made about Midsummer last) computed by Mr. Lowndes, p. 108, to want half its standard weight, and not being mended since, it is evident, he who receives thirty shillings of our present clipped money for a guinea, has but one thousand three hundred ninety-two grains of standard silver for one hundred twenty-nine grains of gold, *i. e.* has but ten and three quarters of silver for one of gold.

I have left out the utmost precisions of fractions in these computations, as not necessary in the present case, these whole numbers showing well enough the difference of the value of guineas at those several rates.

If it be true what I here assert, viz. that he who receives thirty shillings in our current clipped money for a guinea, receives not eleven grains of silver for one of gold; whereas the value of gold to silver in all our neighbouring countries is about fifteen to one, which is about a third part more; it will probably be demanded how it comes to pass that foreigners, or others, import gold, when they do not receive as much silver for it here as they may have in all other countries? The reason whereof is visibly this, that they exchange it not here for silver, but for our commodities: and our bargains for commodities, as well as all other contracts, being made in pounds, shillings, and pence, our clipped money retains amongst the people (who know not

how to count but by current money) a part of its legal value, whilst it passes for the satisfaction of legal contracts, as if it were lawful money. As long as the king receives it for his taxes, and the landlord for his rent, it is no wonder the farmer and tenant should receive it for his commodities. And this, perhaps, would do well enough, if our money and trade were to circulate only amongst ourselves, and we had no commerce with the rest of the world, and needed it not. But here lies the loss, when foreigners shall bring over gold hither, and with that pay for our commodities at the rate of thirty shillings the guinea, when the same quantity of gold that is in a guinea is not, beyond sea, worth more silver than is in twenty, or one and twenty and sixpence of our milled and lawful money; by which way of paying for our commodities, England loses near one-third of the value of all the commodities it thus sells; and it is all one as if foreigners paid for them in money coined and clipped beyond sea, wherein was one-third less silver than there ought to be; and thus we lose near one-third in all our exportation, whilst foreign gold imported is received in payment for thirty shillings a guinea. To make this appear, we need but trace this way of commerce a little, and there can be no doubt of the loss we suffer by it.

Let us suppose, for example, a bale of Holland linen worth there one hundred and eighty ounces of our standard silver; and a bale of serge here worth also the same weight of one hundred and eighty ounces of the same standard silver; it is evident these two bales are exactly of the same value. Mr. Lowndes tells us, p. 88, "That at this time the gold that is in a guinea (if it were carried to Spain, Italy, Barbary, and some other places) would not purchase so much silver there, as is equal to the standard of twenty of our shillings." *i. e.* would be in value there to silver scarce as one to fourteen and an half: and I think I may say that gold in Holland is, or lately was, as one to fifteen, or not much above. Taking then standard gold in Holland to be in proportion to standard silver, as one to about fifteen, or a little more; twelve ounces of our standard

gold, or as much gold as is in forty-four guineas and an half, must be given for that bale of Holland linen, if any one will pay for it there in gold: but if he buys that bale of serge here for one hundred and eighty ounces of silver, which is forty-eight pounds sterling, if he pays for it in gold at thirty shillings the guinea, two and thirty guineas will pay for it; so that in all the goods that we sell beyond sea for gold imported, and coined into guineas, unless the owners raise them one-third above what they would sell them for in milled money, we lose twelve in forty-four and an half, which is very near one-third.

This loss is wholly owing to the permitting clipped money in payment; and this loss we must unavoidably suffer, whilst clipped money is current amongst us; and this robbing of England of near one-third of the value of the commodities we send out will continue, whilst people had rather receive guineas at thirty shillings than silver coin (no other being to be had) that is not worth half what they take it for; and yet this clipped money, as bad as it is, and however unwilling people are to be charged with it, will always have credit enough to pass, whilst the goldsmiths and bankers receive it; and they will always receive it, whilst they can pass it over again to the king with advantage, and can have hopes to prevail, that at last when it can be borne no longer, but must be called in, no part of the loss of light money, which shall be found in their hands, shall fall upon them, though they have for many years dealt in it, and by reason of its being clipped, have had all the running cash of the kingdom in their hands, and made profit of it. I say, clipped money, however bad it be, will always pass whilst the king's receivers, the bankers of any kind, and at last the exchequer, take it; for who will not receive clipped money, rather than have none for his necessary occasions, whilst he sees the great receipt of the exchequer admits it, and the bank and goldsmiths will take it of him, and give him credit for it, so that he needs keep no more of it by him than he pleases? In this state, while the exchequer receives clipped money, I do not see how it can be stopped from

passing. A clipped half-crown, that goes at the exchequer, will not be refused by any one who has hopes by his own or others' hands to convey it thither, and who, unless he take it, cannot trade, or shall not be paid; whilst therefore the exchequer is open to clipped money, it will pass, and whilst clipped money passes, clippers will certainly be at work; and what a gap this leaves to foreigners, if they will make use of it to pour in clipped money upon us (as its neighbours did into Portugal) as long as we have either goods or weighty money left to be carried away at fifty per cent., or greater profit, it is easy to see.

I will suppose the king receives clipped money in the exchequer, and at half or three quarters loss coins it into milled money. For if he receives all, how much soever clipped, I suppose the clippers' shears are not so squeamish as not to pare away above half. It will be a wonderful conscientiousness in them, nowhere that I know to be paralleled, if they will content themselves with less profit than they can make, and will leave seven pennyworth of silver in an half-crown, if six pennyworth and the stamp be enough to make it pass for half a crown. When his majesty hath coined this into milled money of standard weight, and paid it out again to the bankers, goldsmiths, or others, what shall then become of it? Either they will lay it up to get rid of their clipped money, for nobody will part with heavy money whilst he has any light; nor will any heavy money come abroad whilst there is light left; for whoever has clipped money by him, will sell good bargains, or borrow at any rate of those who are willing to part with any weighty, to keep that by him rather than the clipped money he has in his hands; so that, as far as this reaches, no milled money, how much soever be coined, will appear abroad; or if it does, will it long escape the coiners and clippers' hands, who will be at work presently upon it, to furnish the exchequer with more clipped money at fifty, sixty, seventy, or I know not what advantage? Though this be enough to cut off the hopes of milled money appearing in payments, whilst any

clipped is current, yet to this we may add, that gold imported at an over-value, will sweep it away as fast as it is coined, whilst clipped money keeps up the rate of guineas above their former value. This will be the circulation of our money, whilst clipped is permitted any way to be current; and if store enough of clipped money at home, or from abroad, can be but provided (as it is more than probable it may, now the trade is so universal, and has been so long practised with great advantage, and no great danger, as appears by the few have suffered, in regard to the great numbers it is evident are engaged in the trade, and the vent of it here in England is so known and sure) I do not see how in a little while we shall have any money or goods at all left in England, if clipping be not immediately stopped; and how clipping can be stopped but by an immediate positive prohibition, whereby all clipped money shall be forbid to pass in any payment whatsoever, or to pass for more than its weight, I would be glad to learn. Clipping is the great leak which for some time past has contributed more to sink us than all the forces of our enemies could do. It is like a breach in the sea-bank, which widens every moment till it be stopped; and my timorous temper must be pardoned, if I am frighted with the thoughts of clipped money being current one moment longer at any other value but of warranted standard bullion; and therefore there can be nothing more true and reasonable, nor that deserves better to be considered, than what Mr. Lowndes says in his Corollary, p. 90.

Whoever desires to know the different ways of coining money by the hammer and by the mill, may inform himself in the exact account Mr. Lowndes has given of both under his second general head; where he may also see the probablest guess that has been made of the quantity of our clipped money, and the silver deficient in it; and an account of what silver money was coined in the reigns of queen Elizabeth, king James I. and Charles I. more exact than it is to be had any where else. There is only one thing which I shall mention, since

Mr. Lowndes does it here again under this head, p. 100, and that is melting down our coin; concerning which I shall venture humbly to propose these following questions:

1. Whether bullion be any thing but silver, whose workmanship has no value?

2. Whether that workmanship, which can be had for nothing, has, or can have any value?

3. Whether, whilst the money in our mint is coined for the owners, without any cost to them, our coin can ever have any value above any standard bullion?

4. Whether, whilst our coin is not of value above standard bullion, goldsmiths and others, who have need of standard silver, will not rather take what is by the free labour of the mint already assayed and adjusted to their use, and melt that down, than be at the trouble of melting, mixing, and assaying of silver for the uses they have?

5. Whether the only cure for this wanton, though criminal melting down our coin, be not, that the owners should pay one moiety of the sixteen-pence halfpenny which is paid per pound troy for coinage of silver, which the king now pays all?

6. Whether by this means standard silver in coin will not be more worth than standard silver in bullion, and so be preserved from this wanton melting down, as soon as an over-balance of our trade shall bring us silver to stay here? for till then, it is in vain to think of preserving our coin from melting down, and therefore to no purpose till then to change that law.

7. Whether any laws, or any penalties, can keep our coin from being carried out, when debts contracted beyond seas call for it?

8. Whether it be any odds to England, whether it be carried out, melted down into bullion, or in specie?

9. Whether, whilst the exigencies of our occasions and trade call for it abroad, it will not always be melted down for the conveniency of exportation, so long as the law prohibits its exportation in specie?

10. Whether standard silver in coin and in bullion will not immediately be of the same value, as soon as the prohibition of carrying out money in specie is taken off?

11. Whether an ounce of silver the more would be carried out in a year, if that prohibition were taken off?

12. Whether silver in our coin will not always, during the prohibition of its exportation, be a little less worth than silver in bullion, whilst the consumption of foreign commodities beyond what ours pay for, makes the exportation of silver necessary? And so, during such a state, raise your money as much, and as you will, "silver in the coin will never fetch as much as the silver in bullion," as Mr. Lowndes expresses it, p. 110.

As to the inconveniencies and damages we sustain by clipped money passing by tale as if it were lawful, nothing can be more true, more judicious, nor more weighty, than what Mr. Lowndes says, under his third general head; wherein I perfectly agree with him, excepting only where he builds any thing upon the proposed raising our coin one-fifth. And to what he says, p. 114, concerning our being "deprived of the use of our heavy money, by men's hoarding it, in prospect that the silver, contained in those weighty pieces, will turn more to their profit than lending it at interest, purchasing, or trading therewith;" I crave leave to add, that those hoarders of money, a great many of them, drive no less, but rather a greater trade, by hoarding the weighty money, than if they let it go abroad; for by that means all the current cash being light, clipped, and hazardous money, it is all tumbled into their hands, which gives credit to their bills, and furnishes them to trade for as much as they please, whilst every body else scarce trades at all, (but just as necessity forces) and is ready to stand still.

Where he says, p. 114, "It is not likely the weighty monies will soon appear abroad, without raising their value, and recoining the clipped monies:" I should agree with him if it ran thus: without recoining the

clipped, and in the mean time making it go for its weight; for that will, I humbly conceive, bring out the heavy money, without raising its value, as effectually and sooner; for it will do it immediately: his will take up some time; and I fear, if clipped money be not stopped all at once, and presently, from passing any way in tale, the damage it will bring will be irreparable.

"Mr. Lowndes's fourth general head is to propose the means that must be observed, and the proper methods to be used in and for the re-establishment of the silver coins."

The first is, "That the work should be finished in as little time as may be; not only to obviate a farther damage by clipping in the interim, but also that the needful advantages of the new money may be sooner obtained for the service of the nation."

These, I agree with him, are very good and necessary ends; but they are both to be attained, I conceive, much sooner by making clipped money go for its weight, than by the method Mr. Lowndes proposes; for this immediately puts an end to clipping, and obviates all farther damage thereby. Next, it immediately brings out all the hoarded weighty money, and so that advantage will be sooner obtained for the service of the nation, than it can any other way besides. Next, it preserves the use of clipped money for the service of the nation, in the interim, till it can be recoined all at the Tower.

His second proposition is, "That the loss, or the greatest part of it, ought to be borne by the public, and not by particulars, who, being very numerous, will be prejudiced against a reformation for the public benefit, if it be to be effected at the cost of particular men."

A tax given to make good the defect of silver in clipped money, will be paid by particulars; and so the loss will be borne by particular men: and whether these particulars be not more numerous, or at least a great number of innocent men of them more sensibly burdened

that way, than if it takes its chance in the hands of those men who have profited by the having it in their hand, will be worth considering. And I wish it here well weighed, which of the two ways the greater number of men would be most dangerously prejudiced against this reformation. But as Mr. Lowndes orders the matter, every body will, I fear, be prejudiced against this reformation, when (as he divides it, p. 133, 134) the owners will bear near one-half of the loss, in the price of his clipped money, and every body else his part of the remainder, in a tax levied on them for it. I wish a remedy could be found without any body's loss. Most of those ways I have heard proposed, to make reparation to every particular man for the clipped money shall be found in his hands, do so delay the remedy, if not entail clipping upon us, that I fear such a care of particulars endangers the whole; and if that suffer, it will go but ill with particulars. I am not for hindering those who have clipped money from any recompense which can be provided and made them. The question here is not whether the honest countryman shall bear the loss of his clipped money, without any more ado, or pay a tax to recompense himself? That which, I humbly conceive, the nation is most concerned in, is that clipping should be finally stopped, and that the money which remains should go according to its true value, for the carrying on of commerce, and the present supply of people's exigencies, till that part of it, which is defaced, can by the mint be brought to its legal and due form; and therefore I think it will be the rational desire of all particulars, that the shortest and surest way, not interfering with law or equity, should be taken to put an effectual end to an evil, which every moment it continues works powerfully towards a general ruin.

His fourth proposition, "That no room must be left for jealousy," I acknowledge to be a good one, if there can be a way found to obtain it.

I cannot but wonder to find the words, p. 124, "That no person whatsoever shall hereafter be obliged to

accept, in legal payments, any money whatsoever that is already clipped, or may hereafter be clipped, or diminished; and that no person shall tender or receive any such money in payment, under some small penalty to be made easily recoverable," &c.

As if any man now were obliged to receive clipped money in legal payments, and there were not already a law, with severe penalties, against those who tendered clipped money in payment.

It is a doubt to me, whether the warden, master-worker, &c. of the mint at the Tower, could find fit and skilful persons enough to set nine other mints at work, in other parts of England, in a quarter of a year, as Mr. Lowndes proposes, p. 127. Besides, Mr. Lowndes tells us, p. 96, that the engines, which "put the letters upon the edges of the larger silver pieces, and mark the edges of the rest with a graining, are wrought secretly." And, indeed, this is so great a guard against counterfeiting, as well as clipping our money, that it deserves well to be kept a secret, as it has been hitherto. But how that can be, if money be to be coined in nine other mints, set up in several parts, is hard to conceive; and lastly, perhaps, some may apprehend it may be of ill consequence to have so many men instructed and employed in the art of coining only for a short job, and then turned loose again to shift for themselves by their own skill and industry, as they can.

The provision made in his fourth rule, p. 136, to prevent the gain of "subtle dealers by culling out the heaviest of the clipped pieces," though it be the product of great sagacity and foresight, exactly calculated, and as well contrived, as in that case it can be; yet I fear is too subtle for the apprehension and practice of countrymen, who many of them, with their little quickness in such matters, have also but small sums of money by them, and so neither having arithmetic, nor choice of clipped money, to adjust it to the weight there required, will be hardly made to understand it. But I think the clippers have, or will take care that there shall not be any great need of it.

To conclude; I confess myself not to see the least reason why our present milled money should be at all altered in fineness, weight, or value. I look upon it to be the best and safest from counterfeiting, adulterating, or any ways being fraudulently diminished, of any that ever was coined. It is adjusted to our legal payments, reckonings, and accounts, to which our money must be reduced: the raising its denomination will neither add to its worth, nor make the stock we have more proportionate to our occasions, nor bring one grain of silver the more into England, nor one farthing advantage to the public: it will only serve to defraud the king, and a great number of his subjects, and perplex all; and put the kingdom to a needless charge of recoining all, both milled as well as clipped money.

If I might take upon me to offer any thing new, I would humbly propose, that since market and retail trade requires less divisions than six-pences, a sufficient quantity of four-penny, four-penny-halfpenny, and five-penny pieces should be coined. These in change will answer all the fractions between six-pence and a farthing, and thereby supply the want of small monies, whereof I believe nobody ever saw enough common to answer the necessity of small payments; whether, either because there was never a sufficient quantity of such pieces coined, or whether because of their smallness they are apter to be lost out of any hands, or because they oftener falling into children's hands, they lose them, or lay them up; so it is, there is always a visible want of them; to supply which, without the inconveniencies attending very small coin, the proposed pieces, I humbly conceive, will serve.

If it be thought fit for this end to have four-pence, four-pence half-penny, and five-penny pieces coined, it will, I suppose, be convenient, that they should be distinguished from sixpences, and from one another, by a deep and very large plain difference in the stamp on both sides, to prevent mistakes and loss of time in telling of money. The four-pence-halfpenny has already the harp for a known distinction, which may be fit to be continued; the five-pence may have the feathers, and the

four-pence this mark IV. of four on the reverse; and on the other side they may each have the king's head with a crown on it, to show on that side too that the piece so coined is one of those under a six-pence; and with that they may each, on that side also, have some marks of distinction one from another, as the five-pence this mark of V. the four-pence-halfpenny a little harp, and the four-pence nothing.

These or any other better distinctions which his majesty shall order, will in tale readily discover them, if by chance any of them fall into larger payments, for which they are not designed.

And thus I have, with as much brevity and clearness as I could, complied with what Mr. Lowndes professes to be the end of printing his report in these words, viz. "That any persons, who have considered an affair of this nature, may (if they please) communicate their thoughts for rendering the design here aimed at more perfect, or more agreeable to the public service." It must be confessed, that my considerations have led me to thoughts, in some parts of this affair, quite opposite to Mr. Lowndes's: but how far this has been from any desire to oppose him, or to have a dispute with a man no otherwise known to me but by his civilities, and whom I have a very great esteem for, will appear by what I printed about raising the value of money about three years since. All that I have said here, in answer to him, being nothing but the applying the principles I then went on, particularly now, to Mr. Lowndes's arguments, as they came in my way, that so thereby others may judge what will, or will not, be the consequences of such a change of our coin as he proposes; the only way, I think, of rendering his design more agreeable to the public service.

One shilling contained of fine silver.	Gr.
28 Edw. 1	264
18 Edw. 3	236
27 Edw. 3	213
9 Hen. 5	176
1 Hen. 6	142
4 Hen. 6	176
49 Hen. 6	142
1 Hen. 8	118
34 Hen. 8	100
36 Hen. 8	60
37 Hen. 8	40

The fineness increased, but the we lessened.	Gr.
3 Edw. 6	40
5 Edw. 6	20
6 Edw. 6	88
2 Eliz.	89
43 Eliz.	86

i. e. $7\frac{1}{2}$ gr. in a penny.

WILLIAM III.

1lb. troy of sterling silver is coined in 62*s.* the remedy over or under is $2\frac{1}{11}$ pwt. or $6\frac{1}{4}$d. which is the 124 part fere v. pl, 8 Aug. 99.

SPECIES.	oz.	pwt.	gr.	Just std.	oz.	pwt.	sh.	pen.
Mexico real	0	17	12	better	0	0	4	$4\frac{1}{2}$
Ducatoon of Flanders	1	0	22	———	0	$4\frac{1}{2}$	5	4
Seville real	0	17	12	worse	0	1	4	$4\frac{1}{4}$
Holland dollar	0	18	5	———	0	10	4	4
Lyon dollar	0	17	$18\frac{1}{2}$	———	2	3	3	$4\frac{1}{2}$
Rixdollar of the Empire	0	18	15	———	0	$7\frac{1}{2}$	4	$5\frac{3}{4}$
Old cardecu	0	6	$3\frac{1}{2}$	———	0	1	1	$6\frac{1}{4}$
French louis	0	17	11	———	0	$0\frac{1}{2}$	4	$4\frac{1}{4}$
Double milrez of Portugal	0	14	4	———	0	$1\frac{1}{2}$	3	$6\frac{1}{4}$
Single milrez of Portugal	0	7	2	———	0	1	1	9
St. Mark of Venice	0	10	4	———	0	$1\frac{1}{2}$	2	6
Double Dutch stiver	0	1	0	———	4	6	0	$1\frac{3}{4}$
Cross dollar	0	18	0	———	0	12	4	$2\frac{1}{2}$
Zealand dollar	0	13	0	———	2	0	2	3
Old Philip dollar	1	2	0	———	1	0	5	0
Ferdinando dollar, 1623	0	18	6	———	0	$12\frac{1}{2}$	4	3
Prince of Orange dollar, 1624	0	18	6	———	0	$10\frac{1}{2}$	4	$3\frac{1}{4}$
Leopoldus dollar, 1624	0	18	2	———	0	$9\frac{1}{2}$	4	$3\frac{1}{4}$
Rodolphus dollar, 1607	0	18	7	———	0	10	4	4
Maximilian dollar, 1616	0	18	2	———	0	$4\frac{1}{2}$	4	$4\frac{3}{4}$
Danish dollar, 1620	0	13	0	———	0	13	2	$11\frac{1}{4}$
Portugal testoon	0	5	0	———	0	1	1	$2\frac{3}{4}$
The quarter of a new louis	0	4	9	———	0	$0\frac{1}{2}$	1	1

A pound weight of troy standard gold is cut into guineas $44\frac{1}{2}$, one guinea weighs gr. $129\frac{2}{3}$, *i. e.* five pwt. nine gr. $\frac{2}{3}$.

TWO

TREATISES

OF

GOVERNMENT.

IN THE FORMER,

THE FALSE PRINCIPLES AND FOUNDATION OF SIR ROBERT FILMER, AND HIS FOLLOWERS, ARE DETECTED AND OVERTHROWN:

THE LATTER,

IS AN ESSAY CONCERNING THE TRUE ORIGINAL, EXTENT, AND END, OF CIVIL GOVERNMENT.

First published 1690.

THE

PREFACE.

READER,

THOU hast here the beginning and end of a discourse concerning government; what fate has otherwise disposed of the papers that should have filled up the middle, and were more than all the rest, it is not worth while to tell thee. These which remain I hope are sufficient to establish the throne of our great restorer, our present king William; to make good his title in the consent of the people; which being the only one of all lawful governments, he has more fully and clearly than any prince in Christendom; and to justify to the world the people of England, whose love of their just and natural rights, with their resolution to preserve them, saved the nation when it was on the very brink of slavery and ruin. If these papers have that evidence I flatter myself is to be found in them, there will be no great miss of those which are lost, and my reader may be satisfied without them. For I imagine I shall have neither the time nor inclination to repeat my pains, and fill up the wanting part of my answer, by tracing sir Robert again through all the windings and obscurities which are to be met with in the several branches of his wonderful system. The king, and body of the nation, have since so thoroughly confuted his hypothesis, that I suppose nobody hereafter will have either the confidence to appear against our common safety, and be again an advocate for slavery; or the weakness to be deceived with contradictions dressed up in a popular style and well turned periods. For if any one will be at the pains himself, in those parts which are here untouched, to strip sir Robert's discourses of the flourish

of doubtful expressions, and endeavour to reduce his words to direct, positive, intelligible propositions, and then compare them one with another, he will quickly be satisfied there was never so much glib nonsense put together in well sounding English. If he think it not worth while to examine his works all through, let him make an experiment in that part where he treats of usurpation; and let him try whether he can, with all his skill, make sir Robert intelligible and consistent with himself, or common sense. I should not speak so plainly of a gentleman, long since past answering, had not the pulpit, of late years, publicly owned his doctrine, and made it the current divinity of the times. It is necessary those men who, taking on them to be teachers, have so dangerously misled others, should be openly showed of what authority this their patriarch is, whom they have so blindly followed; that so they may either retract what upon so ill grounds they have vented, and cannot be maintained; or else justify those principles which they have preached up for Gospel, though they had no better an author than an English courtier. For I should not have writ against sir Robert, or taken the pains to show his mistakes, inconsistencies, and want of (what he so much boasts of, and pretends wholly to build on) Scripture-proofs, were there not men amongst us who, by crying up his books, and espousing his doctrine, save me from the reproach of writing against a dead adversary. They have been so zealous in this point, that if I have done him any wrong, I cannot hope they should spare me. I wish, where they have done the truth and the public wrong, they would be as ready to redress it, and allow its just weight to this reflection, viz. that there cannot be done a greater mischief to prince and people, than the propagating wrong notions concerning government; that so at last all times might not have reason to complain of the "drum ecclesiastic." If any one really concerned for truth undertake the confutation of my hypothesis, I promise him either to recant my mistake, upon fair conviction, or to answer his difficulties. But he must remember two things,

First, That cavilling here and there at some expression or little incident of my discourse, is not an answer to my book.

Secondly, That I shall not take railing for arguments, nor think either of these worth my notice: though I shall always look on myself as bound to give satisfaction to any one who shall appear to be conscientiously scrupulous in the point, and shall show any just grounds for his scruples.

I have nothing more but to advertise the reader, that A. stands for our author, O. for his Observations on Hobbes, Milton, &c. And that a bare quotation of pages always means pages of his Patriarcha, edit. 1680.

OF

GOVERNMENT.

BOOK I.

CHAPTER I.

§ 1. SLAVERY is so vile and miserable an estate of man, and so directly opposite to the generous temper and courage of our nation, that it is hardly to be conceived that an Englishman, much less a gentleman, should plead for it. And truly I should have taken sir Robert Filmer's Patriarcha, as any other treatise, which would persuade all men that they are slaves, and ought to be so, for such another exercise of wit as was his who writ the encomium of Nero; rather than for a serious discourse, meant in earnest: had not the gravity of the title and epistle, the picture in the front of the book, and the applause that followed it, required me to believe that the author and publisher were both in earnest. I therefore took it into my hands with all the expectation, and read it through with all the attention due to a treatise that made such a noise at its coming abroad; and cannot but confess myself mightily surprised that in a book, which was to provide chains for all mankind, I should find nothing but a rope of sand; useful perhaps to such whose skill and business it is to raise a dust, and would blind the people, the better to mislead them; but in truth not of any force to draw those into bondage who have their eyes open, and so much sense about them, as to consider that chains are but an ill wearing, how much care soever hath been taken to file and polish them.

§ 2. If any one think I take too much liberty in speaking so freely of a man who is the great champion of absolute power, and the idol of those who worship it; I beseech him to make this small allowance for once, to one who, even after the reading of sir Robert's book, cannot but think himself, as the laws allow him, a free man: and I know no fault it is to do so, unless any one, better skilled in the fate of it than I, should have it revealed to him that this treatise, which has lain dormant so long, was, when it appeared in the world, to carry, by strength of its arguments, all liberty out of it; and that, from thenceforth, our author's short model was to be the pattern in the mount, and the perfect standard of politics for the future. His system lies in a little compass; it is no more but this,

"That all government is absolute monarchy."

And the ground he builds on is this,

"That no man is born free."

§ 3. In this last age a generation of men has sprung up amongst us, that would flatter princes with an opinion, that they have a divine right to absolute power, let the laws by which they are constituted and are to govern, and the conditions under which they enter upon their authority, be what they will; and their engagements to observe them ever so well ratified by solemn oaths and promises. To make way for this doctrine, they have denied mankind a right to natural freedom; whereby they have not only, as much as in them lies, exposed all subjects to the utmost misery of tyranny and oppression, but have also unsettled the titles and shaken the thrones of princes: (for they too, by these men's system, except only one, are all born slaves, and by divine right are subjects to Adam's right heir); as if they had designed to make war upon all government, and subvert the very foundations of human society, to serve their present turn.

§ 4. However we must believe them upon their own bare words, when they tell us, "We are all born slaves, and we must continue so;" there is no remedy for it; life and thraldom we entered into together, and can never be quit of the one till we part with the

other. Scripture or reason, I am sure, do not any where say so, notwithstanding the noise of divine right, as if divine authority hath subjected us to the unlimited will of another. An admirable state of mankind, and that which they have not had wit enough to find out till this latter age! For however sir Robert Filmer seems to condemn the novelty of the contrary opinion, Patr. p. 3, yet I believe it will be hard for him to find any other age, or country of the world, but this, which has asserted monarchy to be *jure divino*. And he confesses, Patr. p. 4, that "Heyward, Blackwood, Barclay, and others, that have bravely vindicated the right of kings in most points, never thought of this; but, with one consent, admitted the natural liberty and equality of mankind."

§ 5. By whom this doctrine came at first to be broached, and brought in fashion amongst us, and what sad effects it gave rise to, I leave to historians to relate, or to the memory of those who were contemporaries with Sibthorp and Manwaring to recollect. My business at present is only to consider what sir Robert Filmer, who is allowed to have carried this argument farthest, and is supposed to have brought it to perfection, has said in it: for from him every one, who would be as fashionable as French was at court, has learned and runs away with this short system of politics, viz. "Men are not born free, and therefore could never have the liberty to choose either governors, or forms of government." Princes have their power absolute, and by divine right; for slaves could never have a right to compact or consent. Adam was an absolute monarch, and so are all princes ever since.

CHAPTER II.

Of paternal and regal Power.

§ 6. Sir Robert Filmer's great position is, that "men are not naturally free." This is the foundation on which his absolute monarchy stands, and from which it erects itself to an height, that its power is above every power: *caput inter nubila*, so high above all earthly and human things, that thought can scarce reach it; that promises and oaths, which tie the infinite Deity, cannot confine it. But if this foundation fails, all his fabric falls with it, and governments must be left again to the old way of being made by contrivance and the consent of men (Ἀνθρωπίνη κτίσις) making use of their reason to unite together into society. To prove this grand position of his, he tells us, p. 12, "Men are born in subjection to their parents," and therefore cannot be free. And this authority of parents he calls "royal authority," p. 12, 14, "fatherly authority, right of fatherhood," p. 12, 20. One would have thought he would, in the beginning of such a work as this, on which was to depend the authority of princes, and the obedience of subjects, have told us expressly what that fatherly authority is, have defined it, though not limited it, because in some other treatises of his he tells us, it is unlimited, and unlimitable*; he should at least have given us such an account of it, that we might have had an entire notion of this fatherhood, or fatherly authority, whenever it came in our way, in his writings: this I expected to have found in the first chapter of his Patriarcha. But instead thereof, having, 1. *En passant,* made his obeisance to

* "In grants and gifts that have their original from God or nature, as the power of the father hath, no inferior power of man can limit, nor shake any law of prescription against them." Obs. 158.

"The Scripture teaches that supreme power was originally in the father, without any limitation." Obs. 245.

the *arcana imperii*, p. 5; 2. Made his compliment to the "rights and liberties of this or any other nation," p. 6, which he is going presently to null and destroy; and 3. Made his leg to those learned men who did not see so far into the matter as himself, p. 7: he comes to fall on Bellarmine, p. 8, and by a victory over him establishes his fatherly authority beyond any question. Bellarmine being routed by his own confession, p. 11, the day is clear got, and there is no more need of any forces: for having done that, I observe not that he states the question, or rallies up any arguments to make good his opinion, but rather tells us the story as he thinks fit of this strange kind of domineering phantom called the fatherhood, which whoever could catch presently got empire, and unlimited absolute power. He acquaints us how this fatherhood began in Adam, continued its course, and kept the world in order all the time of the patriarchs till the flood; got out of the ark with Noah and his sons, made and supported all the kings of the earth till the captivity of the Israelites in Egypt; and then the poor fatherhood was under hatches, till "God, by giving the Israelites kings, re-established the ancient and prime right of the lineal succession in paternal government." This is his business from p. 12 to 19. And then, obviating an objection, and clearing a difficulty or two with one-half reason, p. 23, "to confirm the natural right of regal power," he ends the first chapter. I hope it is no injury to call an half quotation an half reason; for God says, "Honour thy father and mother;" but our author contents himself with half, leaves out "thy mother" quite, as little serviceable to his purpose. But of that more in another place.

§ 7. I do not think our author so little skilled in the way of writing discourses of this nature, nor so careless of the point in hand, that he by oversight commits the fault that he himself, in his "anarchy of a mixed monarchy," p. 239, objects to Mr. Hunton in these words: "Where first I charge the A. that he hath not given us any definition or description of monarchy in general; for by the rules of method he

should have first defined." And by the like rule of method, sir Robert should have told us what his fatherhood, or fatherly authority is, before he had told us in whom it was to be found, and talked so much of it. But, perhaps, sir Robert found, that this fatherly authority, this power of fathers, and of kings, for he makes them both the same, p. 24, would make a very odd and frightful figure, and very disagreeing with what either children imagine of their parents, or subjects of their kings, if he should have given us the whole draught together, in that gigantic form he had painted it in his own fancy; and therefore, like a wary physician, when he would have his patient swallow some harsh or corrosive liquor, he mingles it with a large quantity of that which may dilute it, that the scattered parts may go down with less feeling, and cause less aversion.

§ 8. Let us then endeavour to find what account he gives us of this fatherly authority, as it lies scattered in the several parts of his writings. And first, as it was vested in Adam, he says, "Not only Adam, but the succeeding patriarchs, had, by right of fatherhood, royal authority over their children, p. 12. This lordship, which Adam by command had over the whole world, and by right descending from him the patriarchs did enjoy, was as large and ample as the absolute dominion of any monarch which hath been since the creation, p. 13. Dominion of life and death, making war, and concluding peace, p. 13. Adam and the patriarchs had absolute power of life and death, p. 35. Kings, in the right of parents, succeed to the exercise of supreme jurisdiction, p. 19. As kingly power is by the law of God, so it hath no inferior law to limit it; Adam was lord of all, p. 40. The father of a family governs by no other law than by his own will, p. 78. The superiority of princes is above laws, p. 79. The unlimited jurisdiction of kings is so amply described by Samuel, p. 80. Kings are above the laws," p. 93. And to this purpose see a great deal more, which our A. delivers in Bodin's words: "It is certain, that all laws,

privileges, and grants of princes, have no force but during their life, if they be not ratified by the express consent, or by sufferance of the prince following, especially privileges, O. p. 279. The reason why laws have been also made by kings, was this: when kings were either busied with wars, or distracted with public cares, so that every private man could not have access to their persons, to learn their wills and pleasure, then were laws of necessity invented, that so every particular subject might find his prince's pleasure deciphered unto him in the tables of his laws, p. 92. In a monarchy, the king must by necessity be above the laws, p. 100. A perfect kingdom is that, wherein the king rules all things, according to his own will, p. 100. Neither common nor statute laws are, or can be, any diminution of that general power, which kings have over their people, by right of fatherhood, p. 115. Adam was the father, king, and lord over his family; a son, a subject, and a servant or slave, were one and the same thing at first. The father had power to dispose or sell his children or servants; whence we find, that, in the first reckoning up of goods in Scripture, the man-servant and the maid-servant are numbered among the possessions and substance of the owner, as other goods were, O. pref. God also hath given to the father a right or liberty to alien his power over his children to any other; whence we find the sale and gift of children to have been much in use in the beginning of the world, when men had their servants for a possession and an inheritance, as well as other goods; whereupon we find the power of castrating and making eunuchs much in use in old times, O. p. 155. Law is nothing else but the will of him that hath the power of the supreme father, O. p. 223. It was God's ordinance that the supremacy should be unlimited in Adam, and as large as all the acts of his will; and as in him, so in all others that have supreme power," O. p. 245.

§ 9. I have been fain to trouble my reader with these several quotations in our A.'s own words, that in them

might be seen his own description of his fatherly authority, as it lies scattered up and down in his writings, which he supposes was first vested in Adam, and by right belongs to all princes ever since. This fatherly authority then, or right of fatherhood, in our A.'s sense, is a divine unalterable right of sovereignty, whereby a father or a prince hath an absolute, arbitrary, unlimited, and unlimitable power over the lives, liberties, and estates of his children and subjects; so that he may take or alienate their estates, sell, castrate, or use their persons as he pleases, they being all his slaves, and he lord or proprietor of every thing, and his unbounded will their law.

§ 10. Our A. having placed such a mighty power in Adam, and upon that supposition founded all government and all power of princes, it is reasonable to expect that he should have proved this with arguments clear and evident, suitable to the weightiness of the cause. That since men had nothing else left them, they might in slavery have such undeniable proofs of its necessity, that their consciences might be convinced, and oblige them to submit peaceably to that absolute dominion, which their governors had a right to exercise over them. Without this, what good could our A. do, or pretend to do, by erecting such an unlimited power, but flatter the natural vanity and ambition of men, too apt of itself to grow and increase with the possession of any power? And by persuading those, who, by the consent of their fellow-men, are advanced to great but limited degrees of it, that by that part which is given them, they have a right to all that was not so; and therefore may do what they please, because they have authority to do more than others, and so tempt them to do what is neither for their own, nor the good of those under their care; whereby great mischiefs cannot but follow.

§ 11. The sovereignty of Adam being that on which, as a sure basis, our A. builds his mighty absolute monarchy, I expected, that, in his Patriarcha, this his main supposition would have been proved and established with all that evidence of arguments that such a

fundamental tenet required; and that this, on which the great stress of the business depends, would have been made out, with reasons sufficient to justify the confidence with which it was assumed. But, in all that treatise, I could find very little tending that way; the thing is there so taken for granted, without proof, that I could scarce believe myself, when, upon attentive reading that treatise, I found there so mighty a structure raised upon the bare supposition of this foundation. For it is scarce credible, that in a discourse, where he pretends to confute the erroneous principle of man's natural freedom, he should do it by a bare supposition of Adam's authority, without offering any proof for that authority. Indeed, he confidently says, that Adam had "royal authority, p. 12 and 13. Absolute lordship and dominion of life and death, p. 13. An universal monarchy, p. 33. Absolute power of life and death," p. 35. He is very frequent in such assertions; but, what is strange, in all his whole Patriarcha, I find not one pretence of a reason to establish this his great foundation of government; not any thing that looks like an argument, but these words: "To confirm this natural right of regal power, we find in the decalogue, that the law which enjoins obedience to kings, is delivered in the terms, Honour thy father; as if all power were originally in the father." And why may I not add as well, that in the decalogue the law that enjoins obedience to queens, is delivered in the terms of "Honour thy mother," as if all power were originally in the mother? The argument, as sir Robert puts it, will hold as well for one as the other; but of this more in its due place.

§ 12. All that I take notice of here is, that this is all our A. says, in this first, or any of the following chapters, to prove the absolute power of Adam, which is his great principle: and yet, as if he had there settled it upon sure demonstration, he begins his second chapter with these words, "By conferring these proofs and reasons, drawn from the authority of the Scripture." Where those proofs and reasons for Adam's sovereignty are, bating that of Honour thy father,

above-mentioned, I confess, I cannot find; unless what he says, p. 11, "In these words we have an evident confession," viz. of Bellarmine, "that creation made man prince of his posterity," must be taken for proofs and reasons drawn from Scripture, or for any sort of proof at all: though from thence, by a new way of inference, in the words immediately following, he concludes the royal authority of Adam sufficiently settled in him.

§ 13. If he has in that chapter, or any where in the whole treatise, given any other proofs of Adam's royal authority, other than by often repeating it, which, among some men, goes for argument, I desire any body for him to show me the place and page, that I may be convinced of my mistake, and acknowledge my oversight. If no such arguments are to be found, I beseech those men, who have so much cried up this book, to consider, whether they do not give the world cause to suspect, that it is not the force of reason and argument that makes them for absolute monarchy, but some other by interest, and therefore are resolved to applaud any author that writes in favour of this doctrine, whether he support it with reason or no. But I hope they do not expect, that rational and indifferent men should be brought over to their opinion, because this their great doctor of it, in a discourse made on purpose to set up the absolute monarchical power of Adam, in opposition to the natural freedom of mankind, has said so little to prove it, from whence it is rather naturally to be concluded, that there is little to be said.

§ 14. But that I might omit no care to inform myself in our author's full sense, I consulted his Observations on Aristotle, Hobbes, &c. to see whether in disputing with others he made use of any arguments for this his darling tenet of Adam's sovereignty; since in his treatise of the Natural Power of Kings, he hath been so sparing of them. In his Observations on Mr. Hobbes's Leviathan, I think he has put, in short, all those arguments for it together, which in his writings I find him any where to make use of: his words are these: "If God created only Adam, and of a piece of

him made the woman, and if by generation from them two, as parts of them, all mankind be propagated: if also God gave to Adam not only the dominion over the woman and the children that should issue from them, but also over all the earth to subdue it, and over all the creatures on it, so that, as long as Adam lived, no man could claim or enjoy any thing but by donation, assignation, or permission from him, I wonder," &c. Obs. 165. Here we have the sum of all his arguments, for Adam's sovereignty, and against natural freedom, which I find up and down in his other treatises: and they are these following; "God's creation of Adam, the dominion he gave him over Eve, and the dominion he had as father over his children;" all which I shall particularly consider.

CHAPTER III.

Of Adam's Title to Sovereignty by Creation.

§ 15. Sir Robert, in his preface to his Observations on Aristotle's Politics, tells us, "A natural freedom of mankind cannot be supposed, without the denial of the creation of Adam:" but how Adam's being created, which was nothing but his receiving a being, immediately from Omnipotency, and the hand of God, gave Adam a sovereignty over any thing, I cannot see; nor consequently understand, how a supposition of natural freedom is a denial of Adam's creation; and would be glad any body else (since our A. did not vouchsafe us the favour) would make it out for him. For I find no difficulty to suppose the freedom of mankind, though I have always believed the creation of Adam. He was created, or began to exist, by God's immediate power, without the intervention of parents, or the pre-existence of any of the same species to beget him, when it pleased God he should; and so

did the lion, the king of beasts, before him, by the same creating power of God: and if bare existence by that power, and in that way, will give dominion, without any more ado, our A. by this argument, will make the lion have as good a title to it as he, and certainly the ancienter. No; for Adam had his title "by the appointment of God," says our A. in another place. Then bare creation gave him not dominion, and one might have supposed mankind free, without the denying the creation of Adam, since it was God's appointment made him monarch.

§ 16. But let us see how he puts his creation and this appointment together. "By the appointment of God, says sir Robert, as soon as Adam was created, he was monarch of the world, though he had no subjects; for though there could not be actual government till there were subjects, yet by the right of nature it was due to Adam to be governor of his posterity: though not in act, yet at least in habit, Adam was a king from his creation." I wish he had told us here, what he meant by God's appointment. For whatsoever providence orders, or the law of nature directs, or positive revelation declares, may be said to be by God's appointment: but I suppose it cannot be meant here in the first sense, *i. e.* by providence; because that would be to say no more, but that as soon as Adam was created, he was *de facto* monarch, because by right of nature it was due to Adam to be governor of his posterity. But he could not, *de facto*, be by providence constituted the governor of the world, at a time when there was actually no government, no subjects to be governed, which our A. here confesses. Monarch of the world is also differently used by our A., for sometimes he means by it a proprietor of all the world, exclusive of the rest of mankind, and thus he does in the same page of his preface before cited: "Adam, says he, being commanded to multiply and people the earth, and subdue it, and having dominion given him over all creatures, was thereby the monarch of the whole world; none of his posterity had any right to possess any thing but by his grant or permission, or by suc-

cession from him." 2. Let us understand then, by monarch, proprietor of the world, and, by appointment, God's actual donation, and revealed positive grant made to Adam, Gen. i. 28, as we see sir Robert himself does in this parallel place; and then his argument wills tand thus: " by the positive grant of God: as soon as Adam was created, he was proprietor of the world, because by the right of nature it was due to Adam to be governor of his posterity." In which way of arguing there are two manifest falsehoods. First, it is false, that God made that grant to Adam, as soon as he was created, since, though it stands in the text immediately after his creation, yet it is plain it could not be spoken to Adam till after Eve was made and brought to him; and how then could he be monarch by appointment as soon as created, especially since he calls, if I mistake not, that which God says to Eve, Gen. iii. 16, the original grant of government, which not being till after the fall, when Adam was somewhat, at least in time, and very much distant in condition, from his creation, I cannot see, how our A. can say in this sense, that, " by God's appointment, as soon as Adam was created, he was monarch of the world." Secondly, were it true, that God's actual donation " appointed Adam monarch of the world, as soon as he was created," yet the reason here given for it would not prove it; but it would always be a false inference that God, by a positive donation, " appointed Adam monarch of the world, because by right of nature it was due to Adam to be governor of his posterity:" for having given him the right of government by nature, there was no need of a positive donation; at least it will never be a proof of such a donation.

§ 17. On the other side, the matter will not be much mended, if we understand by God's appointment the law of nature, (though it be a pretty harsh expression for it in this place) and by monarch of the world, sovereign ruler of mankind: for then the sentence under consideration must run thus: " By the law of nature, as soon as Adam was created he was governor of mankind, for by right of nature it was due to Adam to

be governor of his posterity;" which amounts to this, he was governor by right of nature, because he was governor by right of nature. But supposing we should grant, that a man is by nature governor of his children, Adam could not hereby be monarch as soon as created: for this right of nature being founded in his being their father, how Adam could have a natural right to be governor, before he was a father, when by being a father only he had that right, is, methinks, hard to conceive, unless he would have him to be a father before he was a father, and have a title before he had it.

§ 18. To this foreseen objection, our A. answers very logically, "He was governor in habit, and not in act:" a very pretty way of being a governor without government, a father without children, and a king without subjects. And thus sir Robert was an author before he writ his book; not in act, it is true, but in habit; for when he had once published it, it was due to him, by the right of nature, to be an author, as much as it was to Adam to be governor of his children, when he had begot them; and if to be such a monarch of the world, an absolute monarch in habit, but not in act, will serve the turn, I should not much envy it to any of sir Robert's friends, that he thought fit graciously to bestow it upon; though even this of act and habit, if it signified any thing but our A.'s skill in distinctions, be not to his purpose in this place. For the question is not here about Adam's actual exercise of government, but actually having a title to be governor. Government, says our A. was "due to Adam by the right of nature:" what is this right of nature? A right fathers have over their children by begetting them; *generatione jus acquiritur parentibus in liberos,* says our A. out of Grotius, de J. B. P. L. 2. C. 5. S. 1. The right then follows the begetting as arising from it; so that, according to this way of reasoning or distinguishing of our A. Adam, as soon as he was created, had a title only in habit, and not in act, which in plain English is, he had actually no title at all.

§ 19. To speak less learnedly, and more intelligibly, one may say of Adam, he was in a possibility of being

governor, since it was possible he might beget children, and thereby acquire that right of nature, be it what it will, to govern them, that accrues from thence: but what connexion has this with Adam's creation, to make him say, that "as soon as he was created, he was monarch of the world?" For it may as well be said of Noah, that as soon as he was born he was monarch of the world, since he was in possibility (which in our A.'s sense is enough to make a monarch, "a monarch in habit,") to outlive all mankind but his own posterity. What such necessary connexion there is betwixt Adam's creation and his right to government, so that a "natural freedom of mankind cannot be supposed without the denial of the creation of Adam," I confess for my part I do not see; nor how those words, "by the appointment," &c. Obs. 254, however explained, can be put together, to make any tolerable sense, at least to establish this position, with which they end, viz. "Adam was a king from his creation;" a king, says our author, "not in act, but in habit," *i. e.* actually no king at all.

§ 20. I fear I have tired my reader's patience, by dwelling longer on this passage than the weightiness of any argument in it seems to require: but I have unavoidably been engaged in it by our author's way of writing, who, huddling several suppositions together, and that in doubtful and general terms, makes such a medley and confusion, that it is impossible to show his mistakes, without examining the several senses wherein his words may be taken, and without seeing how, in any of these various meanings, they will consist together, and have any truth in them: for in this present passage before us, how can any one argue against this position of his, "that Adam was a king from his creation," unless one examine, whether the words, "from his creation," be to be taken, as they may, for the time of the commencement of his government, as the foregoing words import, "as soon as he was created he was monarch;" or, for the cause of it, as he says, p. 11, "creation made man prince of his posterity?" How farther can one judge of the truth of his being

thus king, till one has examined whether king be to be taken, as the words in the beginning of this passage would persuade, on supposition of his private dominion, which was, by God's positive grant, "monarch of the world by appointment;" or king on supposition of his fatherly power over his offspring, which was by nature, "due by the right of nature;" whether, I say, king be to be taken in both, or one only of these two senses, or in neither of them, but only this, that creation made him prince, in a way different from both the other? For though this assertion, that "Adam was king from his creation," be true in no sense, yet it stands here as an evident conclusion drawn from the preceding words, though in truth it he but a bare assertion joined to other assertions of the same kind, which confidently put together in words of undetermined and dubious meaning, look like a sort of arguing, when there is indeed neither proof nor connexion; a way very familiar with our author; of which having given the reader a taste here, I shall, as much as the argument will permit me, avoid touching on hereafter; and should not have done it here, were it not to let the world see, how incoherences in matter, and suppositions without proofs, put handsomely together in good words and a plausible style, are apt to pass for strong reason and good sense, till they come to be looked into with attention.

CHAPTER IV.

Of Adam's Title to Sovereignty, by Donation, Gen. i. 28.

§ 21. HAVING at last got through the foregoing passage, where we have been so long detained, not by the force of arguments and opposition, but by the intricacy of the words, and the doubtfulness of the meaning; let us go on to his next argument, for Adam's

sovereignty. Our author tells us in the words of Mr. Selden, that "Adam by donation from God, Gen. i. 28, was made the general lord of all things, not without such a private dominion to himself, as without his grant did exclude his children. This determination of Mr. Selden, says our author, is consonant to the history of the Bible, and natural reason," Obs. 210. And in his Pref. to his Observations on Aristotle, he says thus, "The first government in the world was monarchical in the father of all flesh, Adam being commanded to multiply and people the earth, and to subdue it, and having dominion given him over all creatures, was thereby the monarch of the whole world. None of his posterity had any right to possess any thing, but by his grant or permission, or by succession from him. The earth, saith the Psalmist, hath he given to the children of men, which shows the title comes from fatherhood."

§ 22. Before I examine this argument, and the text on which it is founded, it is necessary to desire the reader to observe, that our author, according to his usual method, begins in one sense, and concludes in another; he begins here with Adam's propriety, or private dominion, by donation; and his conclusion is, "which shows the title comes from fatherhood."

§ 23. But let us see the argument. The words of the text are these: "And God blessed them, and God said unto them, Be fruitful and multiply, and replenish the earth and subdue it, and have dominion over the fish of the sea, and over the fowl of the air, and over every living thing that moveth upon the earth," Gen. i. 28; from whence our author concludes, "that Adam, having here dominion given him over all creatures, was thereby the monarch of the whole world:" whereby must be meant, that either this grant of God gave Adam property, or, as our author calls it, private dominion over the earth, and all inferior or irrational creatures, and so consequently that he was thereby monarch; or, 2dly, that it gave him rule and

dominion over all earthly creatures whatsoever, and thereby over his children; and so he was monarch: for, as Mr. Selden has properly worded it, "Adam was made general lord of all things," one may very clearly understand him, that he means nothing to be granted to Adam here but property, and therefore he says not one word of Adam's monarchy. But our author says, "Adam was hereby monarch of the world," which, properly speaking, signifies sovereign ruler of all the men in the world; and so Adam, by this grant, must be constituted such a ruler. If our author means otherwise, he might with much clearness have said, that "Adam was hereby proprietor of the whole world." But he begs your pardon in that point: clear distinct speaking not serving every where to his purpose, you must not expect it in him, as in Mr. Selden, or other such writers.

§ 24. In opposition, therefore, to our author's doctrine, that "Adam was monarch of the whole world," founded on this place, I shall show,

1. That by this grant, Gen. i. 28, God gave no immediate power to Adam over men, over his children, over those of his own species; and so he was not made ruler, or monarch, by this charter.

2. That by this grant God gave him not private dominion over the inferior creatures, but right in common with all mankind; so neither was he monarch upon the account of the property here given him.

§ 25. 1. That this donation, Gen. i. 28, gave Adam no power over men, will appear if we consider the words of it: for since all positive grants convey no more than the express words they are made in will carry, let us see which of them here will comprehend mankind, or Adam's posterity; and those I imagine, if any, must be these, "every living thing that moveth:" the words in Hebrew are חיה הרמשת, *i. e. bestiam reptantem*, of which words the Scripture itself is the best interpreter: God having created the fishes and fowls the 5th day, the beginning of the 6th, he creates the irrational inhabitants of the dry land, which, ver. 24, are described in these words, "Let the earth bring forth the

living creature after his kind; cattle and creeping things, and beasts of the earth, after his kind; and ver. 2, and God made the beasts of the earth after his kind, and cattle after their kind, and every thing that creepeth on the earth after his kind:" here, in the creation of the brute inhabitants of the earth, he first speaks of them all under one general name, of living creatures, and then afterwards divides them into three ranks, 1. Cattle, or such creatures as were or might be tame, and so be the private possession of particular men; 2. חיה which, ver. 24, 25, in our Bible, is translated beasts, and by the Septuagint θηρία, wild beasts, and is the same word, that here in our text, ver. 28, where we have this great charter to Adam, is translated living thing, and is also the same word used, Gen. ix. 2, where this grant is renewed to Noah, and there likewise translated beast. 3. The third rank were the creeping animals, which, ver. 24, 25, are comprised under the word, חרמשת, the same that is used here, ver. 28, and is translated moving, but in the former verses creeping, and by the Septuagint in all these places, ἑρπετὰ, or reptiles; from whence it appears, that the words which we translate here in God's donation, ver. 28, "living creatures moving," are the same, which in the history of the creation, ver. 24, 25, signify two ranks of terrestrial creatures, viz. wild beasts and reptiles, and are so understood by the Septuagint.

§ 26. When God had made the irrational animals of the world, divided into three kinds, from the places of their habitation, viz. fishes of the sea, fowls of the air, and living creatures of the earth, and these again into cattle, wild beasts, and reptiles; he considers of making man, and the dominion he should have over the terrestrial world, ver. 26, and then he reckons up the inhabitants of these three kingdoms, but in the terrestrial leaves out the second rank חיה or wild beasts: but here, ver. 28, where he actually exercises this design, and gives him this dominion, the text mentions the fishes of the sea, and fowls of the air, and the terrestrial creatures in the words that signify the wild beasts and reptiles, though translated living thing that moveth,

leaving out cattle. In both which places, though the word that signifies wild beasts be omitted in one, and that which signifies cattle in the other, yet, since God certainly executed in one place, what he declares he designed in the other, we cannot but understand the same in both places, and have here only an account how the terrestrial irrational animals, which were already created and reckoned up at their creation, in three distinct ranks of cattle, wild beasts, and reptiles, were here, ver. 28, actually put under the dominion of man, as they were designed, ver. 26; nor do these words contain in them the least appearance of any thing that can be wrested to signify God's giving to one man dominion over another, to Adam over his posterity.

§ 27. And this further appears from Gen. ix. 2, where God renewing this charter to Noah and his sons, he gives them dominion over the fowls of the air, and the fishes of the sea, and the terrestrial creatures, expressed by דרמש חיה wild beasts and reptiles, the same words that in the text before us, Gen. i. 28, are translated every moving thing that moveth on the earth, which by no means can comprehend man, the grant being made to Noah and his sons, all the men then living, and not to one part of men over another; which is yet more evident from the very next words, ver. 3, where God gives every רמש "every moving thing," the very words used ch. i. 28, to them for food. By all which it is plain that God's donation to Adam, ch. i. 28, and his designation, ver. 26, and his grant again to Noah and his sons; refer to, and contain in them, neither more nor less than the works of the creation the fifth day, and the beginning of the sixth, as they are set down from the 20th to 26th ver. inclusively of the 1st ch. and so comprehend all the species of irrational animals of the terraqueous globe; though all the words, whereby they are expressed in the history of their creation, are nowhere used in any of the following grants, but some of them omitted in one, and some in another. From whence I think it is past all doubt that man cannot be comprehended in this grant, nor any dominion

over those of his own species be conveyed to Adam. All the terrestrial irrational creatures are enumerated at their creation, ver. 25, under the names, "beasts of the earth, cattle, and creeping things;" but man, being not then created, was not contained under any of those names; and therefore, whether we understand the Hebrew words right or no, they cannot be supposed to comprehend man, in the very same history, and the very next verses following, especially since that Hebrew word רמש which, if any in this donation to Adam, ch. i. 28, must comprehend man, is so plainly used in contradistinction to him, as Gen. vi. 20. vii. 14, 21, 23. Gen. viii. 17, 19. And if God made all mankind slaves to Adam and his heirs, by giving Adam dominion over "every living thing that moveth on the earth," ch. i. 28, as our author would have it; methinks sir Robert should have carried his monarchical power one step higher, and satisfied the world that princes might eat their subjects too, since God gave as full power to Noah and his heirs, ch. ix. 2, to eat "every living thing that moveth," as he did to Adam to have dominion over them; the Hebrew word in both places being the same.

§ 28. David, who might be supposed to understand the donation of God in this text, and the right of kings too, as well as our author, in his comment on this place, as the learned and judicious Ainsworth calls it, in the 8th Psalm, finds here no such charter of monarchical power: his words are, "Thou hast made him, *i. e.* man, the son of man, a little lower than the angels; thou madest him to have dominion over the works of thy hands; thou hast put all things under his feet, all sheep and oxen, and the beasts of the field, and fowls of the air, and fish of the sea, and whatsoever passeth through the paths of the sea." In which words, if any one can find out, that there is meant any monarchical power of one man over another, but only the dominion of the whole species of mankind over the inferior species of creatures, he may, for aught I know, deserve to be one of sir Robert's monarchs in

habit, for the rareness of the discovery. And by this time, I hope it is evident, that he that gave "dominion over every living thing that moveth on the earth," gave Adam no monarchical power over those of his own species, which will yet appear more fully in the next thing I am to show.

§ 29. 2. Whatever God gave by the words of this grant, Gen. i. 28, it was not to Adam in particular, exclusive of all other men: whatever dominion he had thereby, it was not a private dominion, but a dominion in common with the rest of mankind. That this donation was not made in particular to Adam, appears evidently from the words of the text, it being made to more than one; for it was spoken in the plural number, God blessed them, and said unto them, have dominion. God says unto Adam and Eve, have dominion; thereby, says our author, "Adam was monarch of the world:" but the grant being to them, *i. e.* spoken to Eve also, as many interpreters think with reason, that these words were not spoken till Adam had his wife, must not she thereby be lady, as well as he lord of the world? If it be said that Eve was subjected to Adam, it seems she was not so subjected to him as to hinder her dominion over the creatures, or property in them: for shall we say that God ever made a joint grant to two, and one only was to have the benefit of it?

§ 30. But perhaps it will be said Eve was not made till afterward: grant it so, what advantage will our author get by it? The text will be only the more directly against him, and show that God, in this donation, gave the world to mankind in common, and not to Adam in particular. The word them in the text must include the species of man, for it is certain *them* can by no means signify Adam alone. In the 26th verse, where God declares his intention to give this dominion, it is plain he meant that he would make a species of creatures that should have dominion over the other species of this terrestrial globe. The words are, "And God said, let us make man in our image, after our likeness, and let them have dominion over the fish," &c. They then were to have dominion. Who? even those who were

to have the image of God, the individuals of that species of man that he was going to make; for that *them* should signify Adam singly, exclusive of the rest that should be in the world with him, is against both Scripture and all reason: and it cannot possibly be made sense, if man in the former part of the verse do not signify the same with *them* in the latter; only man there, as is usual, is taken for the species, and *them* the individuals of that species: and we have a reason in the very text. God makes him "in his own image, after his own likeness; makes him an intellectual creature, and so capable of dominion:" for whereinsoever else the image of God consisted, the intellectual nature was certainly a part of it, and belonged to the whole species, and enabled them to have dominion over the inferior creatures; and therefore David says, in the 8th Psalm above cited, "Thou hast made him little lower than the angels; thou hast made him to have dominion." It is not of Adam king David speaks here; for, verse 4, it is plain it is of man, and the son of man, of the species of mankind.

§ 31. And that this grant spoken to Adam was made to him, and the whole species of man, is clear from our author's own proof out of the Psalmist. "The earth, saith the Psalmist, hath he given to the children of men, which shows the title comes from fatherhood." These are sir Robert's words in the preface before cited, and a strange inference it is he makes: "God hath given the earth to the children of men, *ergo* the title comes from fatherhood." It is pity the propriety of the Hebrew tongue had not used fathers of men, instead of children of men, to express mankind: then indeed our author might have had the countenance of the sounds of the words to have placed the title in the fatherhood. But to conclude, that the fatherhood had the right to the earth, because God gave it to the children of men, is a way of arguing peculiar to our author: and a man must have a great mind to go contrary to the sound as well as sense of the words before he could light on it. But the sense is yet harder, and more remote from our author's purpose: for as it stands in his preface it is to prove Adam's being mon-

arch, and his reasoning is thus, "God gave the earth to the children of men, *ergo* Adam was monarch of the world." I defy any man to make a more pleasant conclusion than this, which cannot be excused from the most obvious absurdity, till it can be shown that by children of men, he who had no father, Adam alone is signified; but whatever our author does, the Scripture speaks not nonsense.

§ 32. To maintain this property and private dominion of Adam, our author labours in the following page to destroy the community granted to Noah and his sons, in that parallel place, Gen. ix. 1, 2, 3; and he endeavours to do it two ways.

1. Sir Robert would persuade us, against the express words of the Scripture, that what was here granted to Noah, was not granted to his sons in common with him. His words are, "As for the general community between Noah and his sons, which Mr. Selden will have to be granted to them, Gen. ix. 2, the text doth not warrant it." What warrant our author would have, when the plain express words of Scripture, not capable of another meaning, will not satisfy him, who pretends to build wholly on Scripture, is not easy to imagine. The text says, "God blessed Noah and his sons, and said unto them, *i. e.* as our author would have it, unto him: for, saith he, although the sons are there mentioned with Noah in the blessing, yet it may best be understood, with a subordination or benediction in succession," O. 211. That indeed is best for our author to be understood, which best serves to his purpose; but that truly may best be understood by any body else, which best agrees with the plain construction of the words, and arises from the obvious meaning of the place; and then with subordination and in succession will not be best understood in a grant of God, where he himself put them not, nor mentions any such limitation. But yet our author has reasons why it may best be understood so. "The blessing, says he in the following words, might truly be fulfilled, if the sons, either under or after their father, enjoyed a private dominion," O. 211; which is to say, that a grant,

whose express words give a joint title in present (for the text says, into your hands they are delivered) may best be understood with a subordination or in succession; because it is possible that in subordination, or in succession, it may be enjoyed. Which is all one as to say, that a grant of any thing in present possession may best be understood of reversion; because it is possible one may live to enjoy it in reversion. If the grant be indeed to a father and to his sons after him, who is so kind as to let his children enjoy it presently in common with him, one may truly say, as to the event one will be as good as the other; but it can never be true that what the express words grant in possession, and in common, may best be understood to be in reversion. The sum of all his reasoning amounts to this: God did not give to the sons of Noah the world in common with their father, because it was possible they might enjoy it under or after him. A very good sort of argument against an express text of Scripture: but God must not be believed, though he speaks it himself, when he says he does any thing which will not consist with sir Robert's hypothesis.

§ 33. For it is plain, however he would exclude them, that part of this benediction, as he would have it in succession, must needs be meant to the sons, and not to Noah himself at all: "Be fruitful and multiply, and replenish the earth," says God in this blessing. This part of the benediction, as appears by the sequel, concerned not Noah himself at all: for we read not of any children he had after the flood; and in the following chapter, where his posterity is reckoned up, there is no mention of any; and so this benediction in succession was not to take place till 350 years after: and to save our author's imaginary monarchy, the peopling of the world must be deferred 350 years; for this part of the benediction cannot be understood with subordination, unless our author will say that they must ask leave of their father Noah to lie with their wives. But in this one point our author is constant to himself in all his discourses; he takes care there should be monarchs in theworld, but very little that there should be people;

and indeed his way of government is not the way to people the world: for how much absolute monarchy helps to fulfil this great and primary blessing of God Almighty, "Be fruitful and multiply, and replenish the earth," which contains in it the improvement too of arts and sciences, and the conveniencies of life; may be seen in those large and rich countries which are happy under the Turkish government, where are not now to be found one-third, nay in many, if not most parts of them, one-thirtieth, perhaps I might say not one-hundredth of the people, that were formerly, as will easily appear to any one, who will compare the accounts we have of it at this time with ancient history. But this by the by.

§ 34. The other parts of this benediction or grant are so expressed, that they must needs be understood to belong equally to them all; as much to Noah's sons as to Noah himself, and not to his sons with a subordination, or in succession. "The fear of you, and the dread of you, says God, shall be upon every beast," &c. Will any body but our author say that the creatures feared and stood in awe of Noah only, and not of his sons without his leave, or till after his death? And the following words, "into your hands they are delivered," are they to be understood as our author says, if your father please, or they shall be delivered into your hands hereafter? If this be to argue from Scripture, I know not what may not be proved by it; and I can scarce see how much this differs from that fiction and fancy, or how much a surer foundation it will prove than the opinions of philosophers and poets, which our author so much condemns in his preface.

§ 35. But our author goes on to prove, that "it may best be understood with a subordination, or a benediction in succession; for, says he, it is not probable that the private dominion which God gave to Adam, and by his donation, assignation, or cession to his children, was abrogated, and a community of all things instituted between Noah and his sons—Noah was left the sole heir of the world; why should it be thought

that God would disinherit him of his birth right, and make him of all men in the world the only tenant in common with his children?" O. 211.

§ 36. The prejudices of our own ill-grounded opinions, however by us called probable, cannot authorize us to understand Scripture contrary to the direct and plain meaning of the words. I grant it is not probable that Adam's private dominion was here abrogated; because it is more than improbable (for it will never be proved) that Adam had any such private dominion: and since parallel places of Scripture are most probable to make us know how they may be best understood, there needs but the comparing this blessing here to Noah and his sons, after the flood, with that to Adam after the creation, Gen. i. 28, to assure any one that God gave Adam no such private dominion. It is probable, I confess, that Noah should have the same title, the same property and dominion after the flood, that Adam had before it: but since private dominion cannot consist with the blessing and grant God gave to him and his sons in common, it is a sufficient reason to conclude that Adam had none, especially since, in the donation made to him, there are no words that express it, or do in the least favour it; and then let my reader judge whether it may best be understood, when in the one place there is not one word for it, not to say what has been above proved, that the text itself proves the contrary; and in the other, the words and sense are directly against it.

§ 37. But our author says, "Noah was the sole heir of the world; why should it be thought that God would disinherit him of his birth right?" Heir indeed, in England, signifies the eldest son, who is by the law of England to have all his father's land; but where God ever appointed any such heir of the world, our author would have done well to have showed us; and how God disinherited him of his birth right, or what harm was done him if God gave his sons a right to make use of a part of the earth for support of themselves and families, when the whole was not only more than Noah himself, but infinitely more than they all could make

use of, and the possessions of one could not at all prejudice, or, as to any use, straiten that of the other.

§ 38. Our author probably foreseeing he might not be very successful in persuading people out of their senses, and, say what he could, men would be apt to believe the plain words of Scripture, and think, as they saw, that the grant was spoken to Noah and his sons jointly; he endeavours to insinuate, as if this grant to Noah conveyed no property, no dominion; because "subduing the earth and dominion over the creatures are therein omitted, nor the earth once named." And therefore, says he, "there is a considerable difference between these two texts; the first blessing gave Adam a dominion over the earth and all creatures; the latter allows Noah liberty to use the living creatures for food: here is no alteration or diminishing of his title to a property of all things, but an enlargement only of his commons," O. 211. So that, in our author's sense, all that was said here to Noah and his sons, gave them no dominion, no property, but only enlarged the commons; their commons, I should say, since God says, "to you are they given;" though our author says *his;* for as to Noah's sons, they, it seems, by sir Robert's appointment, during their father's lifetime, were to keep fasting-days.

§ 39. Any one but our author would be mightily suspected to be blinded with prejudice, that in all this blessing to Noah and his sons, could see nothing but only an enlargement of commons: for as to dominion, which our author thinks omitted, "the fear of you, and the dread of you, says God, shall be upon every beast," which I suppose expresses the dominion, or superiority, was designed man over the living creatures, as fully as may be; for in that fear and dread seems chiefly to consist what was given to Adam over the inferior animals, who, as absolute a monarch as he was, could not make bold with a lark or rabbit to satisfy his hunger, and had the herbs but in common with the beasts, as is plain from Gen. i. 2, 9, and 30. In the next place, it is manifest that in this blessing to Noah

and his sons, property is not only given in clear words, but in a larger extent than it was to Adam. "Into your hands they are given," says God to Noah and his sons; which words, if they give not property, nay, property in possession, it will be hard to find words that can; since there is not a way to express a man's being possessed of any thing more natural, nor more certain, than to say, it is delivered into his hands. And ver. 3, to show, that they had then given them the utmost property man is capable of, which is to have a right to destroy any thing by using it: "Every moving thing that liveth, saith God, shall be meat for you;" which was not allowed to Adam in his charter. This our author calls "a liberty of using them for food, and also an enlargement of commons, but no alteration of property," O. 211. What other property man can have in the creatures, but the "liberty of using them," is hard to be understood: so that if the first blessing, as our author says, gave Adam "dominion over the creatures," and the blessing to Noah and his sons gave them "such a liberty to use them" as Adam had not; it must needs give them something that Adam with all his sovereignty wanted, something that one would be apt to take for a greater property; for certainly he has no absolute dominion over even the brutal part of the creatures, and the property he has in them is very narrow and scanty, who cannot make that use of them which is permitted to another. Should any one, who is absolute lord of a country, have bidden our author subdue the earth, and given him dominion over the creatures in it, but not have permitted him to have taken a kid or a lamb out of the flock to satisfy his hunger, I guess he would scarce have thought himself lord or proprietor of that land, or the cattle on it; but would have found the difference between "having dominion," which a shepherd may have, and having full property as an owner. So that, had it been his own case, sir Robert, I believe, would have thought here was an alteration, nay an enlarging of property; and that Noah and his children had by this grant not only property given them, but such a property given them in the

creatures, as Adam had not: for however, in respect of one another, men may be allowed to have propriety in their distinct portions of the creatures; yet in respect of God the maker of heaven and earth, who is sole lord and proprietor of the whole world, man's propriety in the creatures is nothing but that "liberty to use them," which God has permitted; and so man's property may be altered and enlarged, as we see it here, after the flood, when other uses of them are allowed, which before were not. From all which I suppose it is clear, that neither Adam, nor Noah, had any "private dominion," any property in the creatures, exclusive of his posterity, as they should successively grow up into need of them, and come to be able to make use of them.

§ 40. Thus we have examined our author's argument for Adam's monarchy, founded on the blessing pronounced, Gen. i. 28. Wherein I think it is impossible for any sober reader to find any other but the setting of mankind above the other kinds of creatures in this habitable earth of ours. It is nothing but the giving to man, the whole species of man, as the chief inhabitant, who is the image of his Maker, the dominion over the other creatures. This lies so obvious in the plain words, that any one but our author would have thought it necessary to have shown, how these words, that seemed to say the quite contrary, gave "Adam monarchical absolute power" over other men, or the sole property in all the creatures; and methinks in a business of this moment, and that whereon he builds all that follows, he should have done something more than barely cite words, which apparently make against him; for I confess, I cannot see any thing in them tending to Adam's monarchy, or private dominion, but quite the contrary. And I the less deplore the dulness of my apprehension herein, since I find the apostle seems to have as little notion of any such "private dominion of Adam" as I, when he says, "God gives us all things richly to enjoy;" which he could not do, if it were all given away already to monarch Adam, and the monarchs his heirs and successors. To conclude, this

text is so far from proving Adam sole proprietor, that, on the contrary, it is a confirmation of the original community of all things amongst the sons of men, which appearing from this donation of God, as well as other places of Scripture, the sovereignty of Adam, built upon his "private dominion," must fall, not having any foundation to support it.

§ 41. But yet, if after all any one will needs have it so, that by this donation of God Adam was made sole proprietor of the whole earth, what will this be to his sovereignty? and how will it appear, that propriety in land gives a man power over the life of another? or how will the possession even of the whole earth give any one a sovereign arbitrary authority over the persons of men? The most specious thing to be said is, that he that is proprietor of the whole world, may deny all the rest of mankind food, and so at his pleasure starve them, if they will not acknowledge his sovereignty, and obey his will. If this were true, it would be a good argument to prove, that there never was any such property, that God never gave any such private dominion; since it is more reasonable to think, that God, who bid mankind increase and multiply, should rather himself give them all a right to make use of the food and raiment, and other conveniencies of life, the materials whereof he had so plentifully provided for them; than to make them depend upon the will of a man for their subsistence, who should have power to destroy them all when he pleased, and who, being no better than other men, was in succession likelier, by want and the dependence of a scanty fortune, to tie them to hard service, than by liberal allowance of the conveniencies of life to promote the great design of God, "increase and multiply:" he that doubts this, let him look into the absolute monarchies of the world, and see what becomes of the conveniencies of life, and the multitudes of people.

§ 42. But we know God hath not left one man so to the mercy of another, that he may starve him if he please: God, the Lord and Father of all, has given no one of his children such a property in his peculiar por-

tion of the things of this world, but that he has given his needy brother a right to the surplusage of his goods; so that it cannot justly be denied him, when his pressing wants call for it: and therefore no man could ever have a just power over the life of another by right of property in land or possessions; since it would always be a sin, in any man of estate, to let his brother perish for want of affording him relief out of his plenty. As justice gives every man a title to the product of his honest industry, and the fair acquisitions of his ancestors descended to him; so charity gives every man a title to so much out of another's plenty as will keep him from extreme want, where he has no means to subsist otherwise: and a man can no more justly make use of another's necessity to force him to become his vassal, by withholding that relief God requires him to afford to the wants of his brother, than he that has more strength can seize upon a weaker, master him to his obedience, and with a dagger at his throat offer him death or slavery.

§ 43. Should any one make so perverse an use of God's blessings poured on him with a liberal hand; should any one be cruel and uncharitable to that extremity; yet all this would not prove that propriety in land, even in this case, gave any authority over the persons of men, but only that compact might; since the authority of the rich proprietor, and the subjection of the needy beggar, began not from the possession of the lord, but the consent of the poor man, who preferred being his subject to starving. And the man he thus submits to, can pretend to no more power over him than he has consented to, upon compact. Upon this ground a man's having his stores filled in a time of scarcity, having money in his pocket, being in a vessel at sea, being able to swim, &c. may as well be the foundation of rule and dominion, as being possessor of all the land in the world: any of these being sufficient to enable me to save a man's life, who would perish, if such assistance were denied him; and any thing, by this rule, that may be an occasion of working upon another's necessity to save his life, or any thing dear to him, at

the rate of his freedom, may be made a foundation of sovereignty, as well as property. From all which it is clear, that though God should have given Adam private dominion, yet that private dominion could give him no sovereignty: but we have already sufficiently proved that God gave him no "private dominion."

CHAPTER V.

Of Adam's Title to Sovereignty, by the Subjection of Eve.

§ 44. THE next place of Scripture we find our author builds his monarchy of Adam on, is Gen. iii. 26. "And thy desire shall be to thy husband, and he shall rule over thee. Here we have (says he) the original grant of government," from whence he concludes, in the following part of the page, O. 244, "That the supreme power is settled in the fatherhood, and limited to one kind of government, that is, to monarchy." For let his premises be what they will, this is always the conclusion; let rule, in any text, be but once named, and presently absolute monarchy is by divine right established. If any one will but carefully read our author's own reasoning from these words, O. 244, and consider, among other things, "the line and posterity of Adam," as he there brings them in, he will find some difficulty to make sense of what he says; but we will allow this at present to his peculiar way of writing, and consider the force of the text in hand. The words are the curse of God upon the woman for having been the first and forwardest in the disobedience; and if we will consider the occasion of what God says here to our first parents, that he was denouncing judgment, and declaring his wrath against them both for their disobedience, we cannot suppose that this was the time wherein God was granting Adam prerogatives and privileges, investing him with dignity and autho-

rity, elevating him to dominion and monarchy: for though, as a helper in the temptation, Eve was laid below him, and so he had accidentally a superiority over her, for her greater punishment; yet he too had his share in the fall, as well as the sin, and was laid lower, as may be seen in the following verses: and it would be hard to imagine, that God, in the same breath, should make him universal monarch over all mankind, and a day-labourer for his life; turn him out of "paradise to till the ground," ver. 23, and at the same time advance him to a throne, and all the privileges and ease of absolute power.

§ 45. This was not a time when Adam could expect any favours, any grant of privileges, from his offended Maker. If this be "the original grant of government," as our author tells us, and Adam was now made monarch, whatever sir Robert would have him, it is plain, God made him but a very poor monarch, such an one as our author himself would have counted it no great privilege to be. God sets him to work for his living, and seems rather to give him a spade into his hand to subdue the earth, than a sceptre to rule over its inhabitants. "In the sweat of thy face thou shalt eat thy bread," says God to him, ver. 19. This was unavoidable, may it perhaps be answered, because he was yet without subjects, and had nobody to work for him; but afterwards, living as he did above 900 years, he might have people enough, whom he might command to work for him: no, says God, not only whilst thou art without other help, save thy wife, but as long as thou livest, shalt thou live by thy labour, "In the sweat of thy face shalt thou eat thy bread, till thou return unto the ground, for out of it wast thou taken; for dust thou art, and unto dust shalt thou return," ver. 19. It will perhaps be answered again in favour of our author, that these words are not spoken personally to Adam, but in him, as their representative, to all mankind, this being a curse upon mankind, because of the fall.

§ 46. God, I believe, speaks differently from men, because he speaks with more truth, more certainty: but

when he vouchsafes to speak to men, I do not think he speaks differently from them, in crossing the rules of language in use amongst them: this would not be to condescend to their capacities, when he humbles himself to speak to them, but to lose his design in speaking what, thus spoken, they could not understand. And yet thus must we think of God, if the interpretations of Scripture, necessary to maintain our author's doctrine, must be received for good: for by the ordinary rules of language, it will be very hard to understand what God says, if what he speaks here, in the singular number, to Adam, must be understood to be spoken to all mankind; and what he says in the plural number, Gen. i. 26 and 28, must be understood of Adam alone, exclusive of all others; and what he says to Noah and his sons jointly, must be understood to be meant to Noah alone, Gen. ix.

§ 47. Farther it is to be noted, that these words here of Gen. iii. 16, which our author calls "the original grant of government," were not spoken to Adam, neither indeed was there any grant in them made to Adam, but a punishment laid upon Eve: and if we will take them as they were directed in particular to her, or in her, as their representative, to all other women, they will at most concern the female sex only, and import no more, but that subjection they should ordinarily be in to their husbands: but there is here no more law to oblige a woman to such subjection, if the circumstances either of her condition, or contract with her husband, should exempt her from it, than there is, that she should bring forth her children in sorrow and pain, if there could be found a remedy for it, which is also a part of the same curse upon her: for the whole verse runs thus, "Unto the woman he said, I will greatly multiply thy sorrow and thy conception; in sorrow thou shalt bring forth children, and thy desire shall be to thy husband, and he shall rule over thee." It would, I think, have been a hard matter for any body, but our author, to have found out a grant of "monarchical government to Adam" in these words, which were neither spoken to, nor of him: neither will any

one, I suppose, by these words, think the weaker sex, as by a law, so subjected to the curse contained in them, that it is their duty not to endeavour to avoid it. And will any one say that Eve, or any other woman, sinned, if she were brought to bed without those multiplied pains God threatens her here with? or that either of our queens, Mary or Elizabeth, had they married any of their subjects, had been by this text put into a political subjection to him? or that he should thereby have had monarchical rule over her? God, in this text, gives not, that I see, any authority to Adam over Eve, or to men over their wives, but only foretels what should be the woman's lot; how by his providence he would order it so, that she should be subject to her husband, as we see that generally the laws of mankind and customs of nations have ordered it so: and there is, I grant, a foundation in nature for it.

§ 48. Thus when God says of Jacob and Esau, "that the elder should serve the younger," Gen. xxv. 23, nobody supposes that God hereby made Jacob Esau's sovereign, but foretold what should *de facto* come to pass.

But if these words here spoken to Eve must needs be understood as a law to bind her and all other women to subjection, it can be no other subjection than what every wife owes her husband; and then if this be the "original grant of government, and the foundation of monarchical power," there will be as many monarchs as there are husbands: if therefore these words give any power to Adam, it can be only a conjugal power, not political; the power that every husband hath to order the things of private concernment in his family, as proprietor of the goods and land there, and to have his will take place before that of his wife in all things of their common concernment; but not a political power of life and death over her, much less over any body else.

§ 49. This I am sure: if our author will have this text to be a "grant, the original grant of government," political government, he ought to have proved it by some better arguments than by barely saying, that "thy desire shall be unto thy husband," was a law whereby

Eve, and "all that should come of her," were subjected to the absolute monarchical power of Adam and his heirs. "Thy desire shall be to thy husband," is too doubtful an expression, of whose signification interpreters are not agreed, to build so confidently on, and in a matter of such moment, and so great and general concernment: but our author, according to his way of writing, having once named the text, concludes presently, without any more ado, that the meaning is as he would have it. Let the words rule and subject be but found in the text or margin, and it immediately signifies the duty of a subject to his prince; the relation is changed, and though God says husband, sir Robert will have it king; Adam has presently absolute monarchical power over Eve, and not only over Eve, but "all that should come of her," though the Scripture says not a word of it, nor our author a word to prove it. But Adam must for all that be an absolute monarch, and so down to the end of the chapter. And here I leave my reader to consider whether my bare saying, without offering any reasons to evince it, that this text gave not Adam that absolute monarchical power, our author supposes, be not as sufficient to destroy that power, as his bare assertion is to establish it, since the text mentions neither prince nor people, speaks nothing of absolute or monarchical power, but the subjection of Eve to Adam, a wife to her husband. And he that would trace our author so all through, would make a short and sufficient answer to the greatest part of the grounds he proceeds on, and abundantly confute them by barely denying; it being a sufficient answer to assertions without proof, to deny them without giving a reason. And therefore should I have said nothing, but barely denied that by this text "the supreme power was settled and founded by God himself, in the fatherhood, limited to monarchy, and that to Adam's person and heirs," all which our author notably concludes from these words, as may be seen in the same page, O. 244, it had been a sufficient answer: should I have desired any sober man only to have read the text, and considered to whom and on what occasion it was

spoken, he would no doubt have wondered how our author found out monarchical absolute power in it, had he not had an exceeding good faculty to find it himself, where he could not show it others. And thus we have examined the two places of Scripture, all that I remember our author brings to prove Adam's sovereignty, that supremacy which he says "it was God's ordinance should be unlimited in Adam, and as large as all the acts of his will," O. 254, viz. Gen. i. 28, and Gen. iii. 16; one whereof signifies only the subjection of the inferior ranks of creatures to mankind, and the other the subjection that is due from a wife to her husband; both far enough from that which subjects owe the governors of political societies.

CHAPTER VI.

Of Adam's Title to Sovereignty by Fatherhood.

§ 50. THERE is one thing more, and then I think I have given you all that our author brings for proof of Adam's sovereignty, and that is a supposition of a natural right of dominion over his children, by being their father: and this title of fatherhood he is so pleased with, that you will find it brought in almost in every page; particularly he says, "not only Adam, but the succeeding patriarchs had, by right of fatherhood, royal authority over their children," p. 12. And in the same page, "this subjection of children being the fountain of all regal authority," &c. This being, as one would think by his so frequent mentioning it, the main basis of all his frame, we may well expect clear and evident reason for it, since he lays it down as a position necessary to his purpose, that "every man that is born is so far from being free, that by his very birth he becomes a subject of him that begets him," O. 156. So that Adam being the only man created,

and all ever since being begotten, nobody has been born free. If we ask how Adam comes by this power over his children, he tells us here it is by begetting them: and so again, O. 223, "This natural dominion of Adam," says he, "may be proved out of Grotius himself, who teacheth that 'generatione jus acquiritur parentibus in liberos.'" And indeed the act of begetting being that which makes a man a father, his right of a father over his children can naturally arise from nothing else.

§ 51. Grotius tells us not here how far this "jus in liberos," this power of parents over their children extends; but our author, always very clear in the point, assures us it is supreme power, and like that of absolute monarchs over their slaves, absolute power of life and death. He that should demand of him how, or for what reason it is, that begetting a child gives the father such an absolute power over him, will find him answer nothing: we are to take his word for this, as well as several other things, and by that the laws of nature and the constitutions of government must stand or fall. Had he been an absolute monarch, this way of talking might have suited well enough; "pro ratione voluntas," might have been of force in his mouth; but in the way of proof or argument is very unbecoming, and will little advantage his plea for absolute monarchy. Sir Robert has too much lessened a subject's authority to leave himself the hopes of establishing any thing by his bare saying it; one slave's opinion without proof, is not of weight enough to dispose of the liberty and fortunes of all mankind. If all men are not, as I think they are, naturally equal, I am sure all slaves are; and then I may without presumption oppose my single opinion to his; and be confident that my saying, "that begetting of children makes them not slaves to their fathers," as certainly sets all mankind free, as his affirming the contrary makes them all slaves. But that this position, which is the foundation of all their doctrine, who would have monarchy to be "jure divino," may have all fair play, let us hear what reasons others give for it, since our author offers none.

§ 52. The argument I have heard others make use of to prove that fathers, by begetting them, come by an absolute power over their children, is this; that "fathers have a power over the lives of their children, because they give them life and being," which is the only proof it is capable of: since there can be no reason why naturally one man should have any claim or pretence of right over that in another, which was never his, which he bestowed not, but was received from the bounty of another. 1. I answer, that every one who gives another any thing, has not always thereby a right to take it away again. But, 2. They who say the father gives life to children, are so dazzled with the thoughts of monarchy, that they do not, as they ought, remember God, who is "the author and giver of life: it is in him alone we live, move, and have our being." How can he be thought to give life to another, that knows not wherein his own life consists? Philosophers are at a loss about it, after their most diligent inquiries; and anatomists, after their whole lives and studies spent in dissections, and diligent examining the bodies of men, confess their ignorance in the structure and use of many parts of man's body, and in that operation wherein life consists in the whole. And doth the rude ploughman, or the more ignorant voluptuary, frame or fashion such an admirable engine as this is, and then put life and sense into it? Can any man say he formed the parts that are necessary to the life of his child? or can he suppose himself to give the life, and yet not know what subject is fit to receive it, nor what actions or organs are necessary for its reception or preservation?

§ 53. To give life to that which has yet no being, is to frame and make a living creature, fashion the parts, and mould and suit them to their uses; and having proportioned and fitted them together, to put into them a living soul. He that could do this, might indeed have some pretence to destroy his own workmanship. But is there any one so bold that dares thus far arrogate to himself the incomprehensible works of the Almighty? Who alone did at first, and continues still to

make a living soul, he alone can breathe in the breath of life. If any one thinks himself an artist at this, let him number up the parts of his child's body which he hath made, tell me their uses and operations, and when the living and rational soul began to inhabit this curious structure, when sense began, and how this engine, which he has framed, thinks and reasons: if he made it, let him, when it is out of order, mend it, at least tell wherein the defects lie. "Shall he that made the eye not see?" says the Psalmist, Psalm xciv. 9. See these men's vanities; the structure of that one part is sufficient to convince us of an all-wise Contriver, and he has so visible a claim to us as his workmanship, that one of the ordinary appellations of God in Scripture is, "God our maker," and "the Lord our maker." And therefore though our author, for the magnifying his fatherhood, be pleased to say, O. 159, "That even the power which God himself exerciseth over mankind is by right of fatherhood," yet this fatherhood is such an one as utterly excludes all pretence of title in earthly parents; for he is king, because he is indeed maker of us all, which no parents can pretend to be of their children.

§ 54. But had men skill and power to make their children, it is not so slight a piece of workmanship, that it can be imagined they could make them without designing it. What father of a thousand, when he begets a child, thinks farther than the satisfying his present appetite? God in his infinite wisdom has put strong desires of copulation into the constitution of men, thereby to continue the race of mankind, which he doth most commonly without the intention, and often against the consent and will of the begetter. And indeed those who desire and design children, are but the occasions of their being, and, when they design and wish to beget them, do little more towards their making than Deucalion and his wife in the fable did towards the making of mankind, by throwing pebbles over their heads.

§ 55. But grant that the parents made their children, gave them life and being, and that hence there followed

an absolute power. This would give the father but a joint dominion with the mother over them: for nobody can deny but that the woman hath an equal share, if not the greater, as nourishing the child a long time in her own body out of her own substance: there it is fashioned, and from her it receives the materials and principles of its constitution: and it is so hard to imagine the rational soul should presently inhabit the yet unformed embryo, as soon as the father has done his part in the act of generation, that if it must be supposed to derive any thing from the parents, it must certainly owe most to the mother. But be that as it will, the mother cannot be denied an equal share in begetting of the child, and so the absolute authority of the father will not arise from hence. Our author indeed is of another mind; for he says, "we know that God at the creation gave the sovereignty to the man over the woman, as being the nobler and principal agent in generation," O. 172. I remember not this in my Bible; and when the place is brought where God at the creation gave the sovereignty to man over the woman, and that for this reason, because "he is the nobler and principal agent in generation," it will be time enough to consider, and answer it. But it is no new thing for our author to tell us his own fancies for certain and divine truths, though there be often a great deal of difference between his and divine revelations; for God in the Scripture says, "his father and his mother that begot him."

§ 56. They who allege the practice of mankind, for exposing or selling their children, as a proof of their power over them, are with sir Robert happy arguers; and cannot but recommend their opinion, by founding it on the most shameful action, and most unnatural murder human nature is capable of. The dens of lions and nurseries of wolves know no such cruelty as this: these savage inhabitants of the desert obey God and nature in being tender and careful of their offspring: they will hunt, watch, fight, and almost starve for the preservation of their young; never part with them; never forsake them, till they are able to shift for themselves. And is it the privilege of man alone to act more

contrary to nature than the wild and most untamed part of the creation? doth God forbid us under the severest penalty, that of death, to take away the life of any man, a stranger, and upon provocation? and does he permit us to destroy those he has given us the charge and care of; and by the dictates of nature and reason, as well as his revealed command, requires us to preserve? He has in all the parts of creation taken a peculiar care to propagate and continue the several species of creatures, and makes the individuals act so strongly to this end, that they sometimes neglect their own private good for it, and seem to forget that general rule, which nature teaches all things, of self-preservation; and the preservation of their young, as the strongest principle in them, over-rules the constitution of their particular natures. Thus we see, when their young stand in need of it, the timorous become valiant, the fierce and savage kind, and the ravenous, tender and liberal.

§ 57. But if the example of what hath been done be the rule of what ought to be, history would have furnished our author with instances of this absolute fatherly power in its height and perfection, and he might have showed us in Peru people that begot children on purpose to fatten and eat them. The story is so remarkable, that I cannot but set it down in the author's words: "In some provinces, says he, they were so liquorish after man's flesh, that they would not have the patience to stay till the breath was out of the body, but would suck the blood as it ran from the wounds of the dying man; they had public shambles of man's flesh, and their madness herein was to that degree, that they spared not their own children, which they had begot on strangers taken in war: for they made their captives their mistresses, and choicely nourished the children they had by them, till about thirteen years old they butchered and eat them; and they served the mothers after the same fashion, when they grew past child-bearing, and ceased to bring them any more roasters." Garcilasso de la Vega Hist. des Yncas de Peru, l. i. c. 12.

§ 58. Thus far can the busy mind of man carry him to a brutality below the level of beasts, when he quits his reason, which places him almost equal to angels. Nor can it be otherwise in a creature, whose thoughts are more than the sands, and wider than the ocean, where fancy and passion must needs run him into strange courses, if reason, which is his only star and compass, be not that he steers by. The imagination is always restless, and suggests variety of thoughts, and the will, reason being laid aside, is ready for every extravagant project; and in this state he that goes farthest out of the way, is thought fittest to lead, and is sure of most followers: and when fashion hath once established what folly or craft began, custom makes it sacred, and it will be thought impudence, or madness, to contradict or question it. He that will impartially survey the nations of the world, will find so much of their religions, governments, and manners, brought in and continued amongst them by these means, that he will have but little reverence for the practices which are in use and credit amongst men; and will have reason to think, that the woods and forests, where the irrational untaught inhabitants keep right by following nature, are fitter to give us rules, than cities and palaces, where those that call themselves civil and rational, go out of their way, by the authority of example. If precedents are sufficient to establish a rule in this case, our author might have found in holy writ children sacrificed by their parents, and this amongst the people of God themselves: the Psalmist tells us, Psalm cvi. 38, "They shed innocent blood, even the blood of their sons and of their daughters, whom they sacrificed unto the idols of Canaan." But God judged not of this by our author's rule, nor allowed of the authority of practice against his righteous law; but, as it follows there, "the land was polluted with blood; therefore was the wrath of the Lord kindled against his people, insomuch that he abhorred his own inheritance." The killing of their children, though it were fashionable, was charged on them as innocent blood, and so had in the account of God

the guilt of murder, as the offering them to idols had the guilt of idolatry.

§ 59. Be it then, as sir Robert says, 'that anciently it was usual for men "to sell and castrate their children," O. 155. Let it be, that they exposed them; add to it, if you please, for this is still greater power, that they begat them for their tables, to fat and eat them: if this proves a right to do so, we may, by the same argument, justify adultery, incest, and sodomy, for there are examples of these too, both ancient and modern; sins, which I suppose have their principal aggravation from this, that they cross the main intention of nature, which willeth the increase of mankind, and the continuation of the species in the highest perfection, and the distinction of families, with the security of the marriage-bed, as necessary thereunto.

§ 60. In confirmation of this natural authority of the father, our author brings a lame proof from the positive command of God in Scripture: his words are, "To confirm the natural right of regal power, we find in the decalogue, that the law which enjoins obedience to kings, is delivered in the terms, Honour thy father, p. 23. Whereas many confess, that government only in the abstract, is the ordinance of God, they are not able to prove any such ordinance in the Scripture, but only in the fatherly power; and therefore we find the commandment, that enjoins obedience to superiors, given in the terms, Honour thy father; so that not only the power and right of government, but the form of the power governing, and the person having the power, are all the ordinances of God. The first father had not only simply power, but power monarchical, as he was father immediately from God," O. 254. To the same purpose, the same law is cited by our author in several other places, and just after the same fashion; that is, "and mother," as apocryphal words, are always left out; a great argument of our author's ingenuity, and the goodness of his cause, which required in its defender zeal to a degree of warmth, able to warp the sacred rule of the word of God, to make it comply with

his present occasion; a way of proceeding not unusual to those who embrace not truths because reason and revelation offer them, but espouse tenets and parties for ends different from truth, and then resolve at any rate to defend them; and so do with the words and sense of authors, they would fit to their purpose, just as Procrustes did with his guests, lop or stretch them, as may best fit them to the size of their notions; and they always prove, like those so served, deformed, lame, and useless.

§ 61. For had our author set down this command without garbling, as God gave it, and joined mother to father, every reader would have seen, that it had made directly against him, and that it was so far from establishing the "monarchical power of the father," that it set up the mother equal with him, and enjoined nothing but was due in common to both father and mother: for that is the constant tenour of the Scripture, "Honour thy father and thy mother," Exod. xx. "He that smiteth his father or mother, shall surely be put to death," xxi. 15. "He that curseth his father or mother, shall surely be put to death," ver. 17. repeated Lev. xx. 9, and by our Saviour, Matth. xv. 4. "Ye shall fear every man his mother and his father," Lev. xix. 3. "If any man have a rebellious son, which will not obey the voice of his father or the voice of his mother; then shall his father and his mother lay hold on him, and say, This our son is stubborn and rebellious, he will not obey our voice," Deut. xxi. 18, 19, 20, 21. "Cursed be he that setteth light by his father or his mother," xxvii. 16. "My son, hear the instructions of thy father, and forsake not the law of thy mother," are the words of Solomon, a king who was not ignorant of what belonged to him as a father or a king; and yet he joins father and mother together, in all the instructions he gives children quite through his book of Proverbs. "Woe unto him, that saith unto his father, What begettest thou? or to the woman, What hast thou brought forth?" Isa. xlv. 10. "In thee have they set light by father and mother," Ezek. xxii. 7. "And it shall come to pass, that when any shall

yet prophesy, then his father and his mother that begat him shall say unto him, Thou shalt not live; and his father and his mother that begat him shall thrust him through when he prophesieth." Zech. xiii. 3. Here not the father only, but the father and mother jointly, had power in this case of life and death. Thus ran the law of the Old Testament, and in the New they are likewise joined, in the obedience of their children, Eph. vi. 1. The rule is, "Children, obey your parents;" and I do not remember, that I any where read, "Children, obey your father," and no more: the Scripture joins mother too in that homage which is due from children; and had there been any text, where the honour or obedience of children had been directed to the father alone, it is not likely that our author, who pretends to build all upon Scripture, would have omitted it: nay, the Scripture makes the authority of father and mother, in respect of those they have begot, so equal, that in some places it neglects even the priority of order, which is thought due to the father, and the mother is put first, as Lev. xix. 3. From which so constantly joining father and mother together, as is found quite through Scripture, we may conclude that the honour they have a title to from their children is one common right belonging so equally to them both, that neither can claim it wholly, neither can be excluded.

§ 62. One would wonder then how our author infers from the fifth commandment, that all "power was originally in the father;" how he finds "monarchical power of government settled and fixed by the commandment, Honour thy father and thy mother." If all the honour due by the commandment, be it what it will, be the only right of the father, because he, as our author says, "has the sovereignty over the woman, as being the nobler and principal agent in generation," why did God afterwards all along join the mother with him, to share in his honour? Can the father, by this sovereignty of his, discharge the child from paying this honour to his mother? The Scripture gave no such licence to the Jews, and yet there were often

breaches wide enough betwixt husband and wife, even to divorce and separation: and, I think, nobody will say a child may withhold honour from his mother, or, as the Scripture terms it, "set light by her," though his father should command him to do so; no more than the mother could dispense with him for neglecting to honour his father: whereby it is plain, that this command of God gives the father no sovereignty, no supremacy.

§ 63. I agree with our author that the title to this honour is vested in the parents by nature, and is a right which accrues to them by their having begotten their children, and God by many positive declarations has confirmed it to them: I also allow our author's rule, "that in grants and gifts, that have their original from God and nature, as the power of the father," (let me add "and mother," for whom God hath joined together let no man put asunder) "no inferior power of men can limit, nor make any law of prescription against them," O. 158: so that the mother having, by this law of God, a right to honour from her children, which is not subject to the will of her husband, we see this "absolute monarchical power of the father" can neither be founded on it, nor consist with it; and he has a power very far from monarchical, very far from that absoluteness our author contends for, when another has over his subjects the same power he hath, and by the same title: and therefore he cannot forbear saying himself that "he cannot see how any man's children can be free from subjection to their parents," p. 12; which, in common speech, I think, signifies mother as well as father, or if parents here signifies only father, it is the first time I ever yet knew it to do so, and by such an use of words one may say any thing.

§ 64. By our author's doctrine, the father having absolute jurisdiction over his children, has also the same over their issue; and the consequence is good, were it true that the father had such a power: and yet I ask our author whether the grandfather, by his sovereignty, could discharge the grandchild from paying to his father the honour due to him by the fifth commandment. If the grandfather hath, by "right of fatherhood," sole

sovereign power in him, and that obedience which is due to the supreme magistrate be commanded in these words, "Honour thy father," it is certain the grandfather might dispense with the grandson's honouring his father, which since it is evident in common sense he cannot, it follows from hence, that "honour thy father and mother" cannot mean an absolute subjection to a sovereign power, but something else. The right therefore which parents have by nature, and which is confirmed to them by the fifth commandment, cannot be that political dominion which our author would derive from it: for that being in every civil society supreme somewhere, can discharge any subject from any political obedience to any one of his fellow-subjects. But what law of the magistrate can give a child liberty not to "honour his father and mother?" It is an eternal law, annexed purely to the relation of parents and children, and so contains nothing of the magistrate's power in it, nor is subjected to it.

§ 65. Our author says, "God hath given to a father a right or liberty to alien his power over his children to any other," O. 155. I doubt whether he can alien wholly the right of honour that is due from them; but be that as it will, this I am sure, he cannot alien and retain the same power. If therefore the magistrate's sovereignty be, as our author would have it, "nothing but the authority of a supreme father," p. 23, it is unavoidable, that if the magistrate hath all this paternal right, as he must have if fatherhood be the fountain of all authority; then the subjects, though fathers, can have no power over their children, no right to honour from them: for it cannot be all in another's hands, and a part remain with the parents. So that, according to our author's own doctrine, "Honour thy father and mother" cannot possibly be understood of political subjection and obedience: since the laws both in the Old and New Testament, that commanded children to "honour and obey their parents," were given to such, whose fathers were under civil government, and fellow-subjects with them in political societies; and to have bid them "honour and obey their parents,"

in our author's sense, had been to bid them be subjects to those who had no title to it: the right to obedience from subjects being all vested in another; and instead of teaching obedience, this had been to foment sedition, by setting up powers that were not. If therefore this command, "Honour thy father and mother," concern political dominion, it directly overthrows our author's monarchy: since it being to be paid by every child to his father, even in society, every father must necessarily have political dominion, and there will be as many sovereigns as there are fathers: besides that the mother too hath her title, which destroys the sovereignty of one supreme monarch. But if "Honour thy father and mother" mean something distinct from political power, as necessarily it must, it is besides our author's business, and serves nothing to his purpose.

§ 66. "The law that enjoins obedience to kings is delivered," says our author, "in the terms, Honour thy father, as if all power were originally in the father," O. 254: and that law is also delivered, say I, in the terms, "Honour thy mother," as if all power were originally in the mother. I appeal whether the argument be not as good on one side as the other, father and mother being joined all along in the Old and New Testament wherever honour or obedience is enjoined children. Again, our author tells us, O. 254, "that this command, Honour thy father, gives the right to govern, and makes the form of government monarchical." To which I answer, that if by "Honour thy father" be meant obedience to the political power of the magistrate, it concerns not any duty we owe to our natural fathers, who are subjects; because they, by our author's doctrine, are divested of all that power, it being placed wholly in the prince, and so being equally subjects and slaves with their children, can have no right, by that title, to any such honour or obedience as contains in it political subjection: if "Honour thy father and mother" signifies the duty we owe our natural parents, as by our Saviour's interpretation, Matth. xv. 4, and all the other mentioned places, it is plain it does; then it cannot concern political obedience, but a

duty that is owing to persons who have no title to sovereignty, nor any political authority as magistrates over subjects. For the person of a private father, and a title to obedience, due to the supreme magistrate, are things inconsistent; and therefore this command, which must necessarily comprehend the persons of natural fathers, must mean a duty we owe them distinct from our obedience to the magistrate, and from which the most absolute power of princes cannot absolve us. What this duty is, we shall in its due place examine.

§ 67. And thus we have at last got through all, that in our author looks like an argument for that absolute unlimited sovereignty described, sect. 8, which he supposes in Adam; so that mankind have ever since been all born slaves, without any title to freedom. But if creation, which gave nothing but a being, made not Adam prince of his posterity: if Adam, Gen. i. 28, was not constituted lord of mankind, nor had a private dominion given him exclusive of his children, but only a right and power over the earth and inferior creatures in common with the children of men: if also, Gen. iii. 16, God gave not any particular power to Adam over his wife and children, but only subjected Eve to Adam, as a punishment, or foretold the subjection of the weaker sex, in the ordering the common concernments of their families, but gave not thereby to Adam, as to the husband, power of life and death, which necessarily belongs to the magistrate: if fathers by begetting their children acquire no such power over them; and if the command, "Honour thy father and mother," give it not, but only enjoins a duty owing to parents equally, whether subjects or not, and to the mother as well as the father: if all this be so, as I think by what has been said is very evident; then man has a natural freedom, notwithstanding all our author confidently says to the contrary; since all that share in the same common nature, faculties, and powers, are in nature equal, and ought to partake in the same common rights and privileges, till the manifest appointment of God, who is "Lord over all, blessed for ever," can be produced to show any particular person's supremacy; or a man's own

consent subjects him to a superior. This is so plain, that our author confesses that sir John Hayward, Blackwood, and Barclay, "the great vindicators of the right of kings," could not deny it, "but admit with one consent the natural liberty and equality of mankind," for a truth unquestionable. And our author hath been so far from producing any thing that may make good his great position, "that Adam was absolute monarch," and so "men are not naturally free," that even his own proofs make against him; so that, to use his own way of arguing, "the first erroneous principle failing, the whole fabric of this vast engine of absolute power and tyranny drops down of itself," and there needs no more to be said in answer to all that he builds upon so false and frail a foundation.

§ 68. But to save others the pains, were there any need, he is not sparing himself to show, by his own contradictions, the weakness of his own doctrine. Adam's absolute and sole dominion is that which he is every where full of, and all along builds on, and yet he tells us, p. 12, "that as Adam was lord of his children, so his children under him had a command and power over their own children." The unlimited and undivided sovereignty of Adam's fatherhood, by our author's computation, stood but a little while, only during the first generation; but as soon as he had grandchildren, sir Robert could give but a very ill account of it. "Adam, as father of his children," saith he, "hath an absolute, unlimited, royal power over them, and by virtue thereof over those that they begot, and so to all generations;" and yet his children, viz. Cain and Seth, have a paternal power over their children at the same time; so that they are at the same time absolute lords, and yet vassals and slaves; Adam has all the authority, as "grandfather of the people," and they have a part of it as fathers of a part of them: he is absolute over them and their posterity, by having begotten them, and yet they are absolute over their children by the same title. "No," says our author, "Adam's children under him had power over their own children,

but still with subordination to the first parent." A good distinction, that sounds well; and it is pity it signifies nothing, nor can be reconciled with our author's words. I readily grant, that supposing Adam's absolute power over his posterity, any of his children might have from him a delegated, and so a subordinate power over a part, or all the rest: but that cannot be the power our author speaks of here; it is not a power by grant and commission, but the natural paternal power he supposes a father to have over his children. For, 1 he says, "As Adam was lord of his children, so his children under him had a power over their own children:" they were then lords over their own children after the same manner, and by the same title, that Adam was; *i. e.* by right of generation, by right of fatherhood. 2. It is plain he means the natural power of fathers, because he limits it to be only "over their own children;" a delegated power has no such limitation as only over their own children; it might be over others, as well as their own children. 3. If it were a delegated power, it must appear in Scripture; but there is no ground in Scripture to affirm, that Adam's children had any other power over theirs than what they naturally had as fathers.

§ 69. But that he means here paternal power, and no other, is past doubt, from the inference he makes in these words immediately following, "I see not then how the children of Adam, or of any man else, can be free from subjection to their parents." Whereby it appears that the power on one side, and the subjection on the other, our author here speaks of, is that natural power and subjection between parents and children: for that which every man's children owed could be no other; and that our author always affirms to be absolute and unlimited. This natural power of parents over their children Adam had over his posterity, says our author; and this power of parents over their children, his children had over theirs in his lifetime, says our author also; so that Adam, by a natural right of father, had an absolute, unlimited power over all his posterity, and

at the same time his children had by the same right absolute, unlimited power over theirs. Here then are two absolute, unlimited powers existing together, which I would have any body reconcile one to another, or to common sense. For the salvo he has put in of subordination makes it more absurd: to have one absolute, unlimited, nay unlimitable power in subordination to another, is so manifest a contradiction, that nothing can be more. "Adam is absolute prince, with the unlimited authority of fatherhood over all his posterity;" all his posterity are then absolutely his subjects; and, as our author says, his slaves, children, and grandchildren, are equally in this state of subjection and slavery; and yet, says our author, "the children of Adam have paternal, *i. e.* absolute, unlimited power over their own children:" which in plain English is, they are slaves and absolute princes at the same time, and in the same government; and one part of the subjects have an absolute, unlimited power over the other by the natural right of parentage.

§ 70. If any one will suppose in favour of our author, that he here meant that parents, who are in subjection themselves to the absolute authority of their father, have yet some power over their children; I confess he is something nearer the truth: but he will not at all hereby help our author: for he nowhere speaking of the paternal power, but as an absolute, unlimited authority, cannot be supposed to understand any thing else here, unless he himself had limited it, and showed how far it reached; and that he means here paternal authority in that large extent, is plain from the immediately following words: "This subjection of children being," says he, "the foundation of all regal authority," p. 12. The subjection then that in the former line, he says, "every man is in to his parents," and consequently what Adam's grandchildren were in to their parents, was that which was the fountain of all regal authority, *i. e.* according to our author, absolute, unlimitable authority. And thus Adam's children had regal authority over their children, whilst they themselves were subjects to their father, and fellow-subjects with their chil-

dren. But let him mean as he pleases, it is plain he allows "Adam's children to have paternal power," p. 12, as also all other fathers to have "paternal power over their children." O. 156. From whence one of these two things will necessarily follow, that either Adam's children, even in his life time, had, and so all other fathers have, as he phrases it, p. 12, "by right of fatherhood, royal authority over their children," or else that Adam, "by right of fatherhood, had not royal authority." For it cannot be but that paternal power does, or does not, give royal authority to them that have it: if it does not, then Adam could not be sovereign by this title, nor any body else; and then there is an end of all our author's politics at once: if it does give royal authority, then every one that has paternal power has royal authority; and then, by our author's patriarchal government, there will be as many kings as there are fathers.

§ 71. And thus what a monarchy he hath set up, let him and his disciples consider. Princes certainly will have great reason to thank him for these new politics, which set up as many absolute kings in every country as there are fathers of children. And yet who can blame our author for it, it lying unavoidably in the way of one discoursing upon our author's principles? For having placed an "absolute power in fathers by right of begetting," he could not easily resolve how much of this power belonged to a son over the children he had begotten; and so it fell out to be a very hard matter to give all the power, as he does, to Adam, and yet allow a part in his life time to his children when they were parents, and which he knew not well how to deny them. This makes him so doubtful in his expressions, and so uncertain where to place this absolute natural power which he calls fatherhood. Sometimes Adam alone has it all, as p. 13, O. 244, 245, and Pref.

Sometimes parents have it, which word scarce signifies the father alone, p. 12, 19.

Sometimes children during their father's lifetime, as p. 12.

Sometimes fathers of families, as p. 78, 79.

Sometimes fathers indefinitely, O. 155.
Sometimes the heir to Adam, O. 253.
Sometimes the posterity of Adam, 244, 246.
Sometimes prime fathers, all sons of grandchildren of Noah, O. 244.
Sometimes the eldest parents, p. 12.
Sometimes all kings, p. 19.
Sometimes all that have supreme power, O. 245.
Sometimes heirs to those first progenitors who were at first the natural parents of the whole people, p. 19.
Sometimes an elective king, p. 23.
Sometimes those, whether a few or a multitude, that govern the commonweath, p. 23.
Sometimes he that can catch it, an usurper, p. 23. O. 155.

§ 72. Thus this new nothing, that is to carry with it all power, authority, and government; this fatherhood, which is to design the person, and establish the throne of monarchs, whom the people are to obey; may, according to sir Robert, come into any hands, any how, and so by his politics give to democracy royal authority, and make an usurper a lawful prince. And if it will do all these fine feats, much good do our author and all his followers with their omnipotent fatherhood, which can serve for nothing but to unsettle and destroy all the lawful governments in the world, and to establish in their room disorder, tyranny, and usurpation.

CHAPTER VII.

Of Fatherhood and Property considered together as Fountains of Sovereignty.

§ 73. In the foregoing chapters we have seen what Adam's monarchy was in our author's opinion,

and upon what titles he founded it. The foundations which he lays the chief stress on, as those from which he thinks he may best derive monarchical power to future princes, are two, viz. "fatherhood and property:" and therefore the way he proposes to "remove the absurdities and inconveniencies of the doctrine of natural freedom is, to maintain the natural and private dominion of Adam," O. 222. Conformable hereunto, he tell us, "the grounds and principles of government necessarily depend upon the original of property," O. 108. "The subjection of children to their parents is the fountain of all regal authority," p. 12. "And all power on earth is either derived or usurped from the fatherly power, there being no other original to be found of any power whatsoever," O. 158. I will not stand here to examine how it can be said without a contradiction, that the "first grounds and principles of government necessarily depend upon the original of property," and yet, "that there is no other original of any power whatsoever but that of the father:" it being hard to understand how there can be "no other original but fatherhood," and yet that the "grounds and principles of government depend upon the original of property;" property and fatherhood being as far different as lord of a manor and father of children. Nor do I see how they will either of them agree with what our author says, O. 244, of God's sentence against Eve, Gen. iii. 16, "that it is the original grant of government:" so that if that were the original, government had not its original, by our author's own confession, either from property or fatherhood; and this text, which he brings as a proof of Adam's power over Eve, necessarily contradicts what he says of the fatherhood, that it is the "sole fountain of all power:" for if Adam had any such regal power over Eve as our author contends for, it must be by some other title than that of begetting.

§ 74. But I leave him to reconcile these contradictions, as well as many others, which may plentifully be found in him by any one, who will but read him with

a little attention; and shall come now to consider, how these two originals of government, "Adam's natural and private dominion," will consist and serve to make out and establish the titles of succeeding monarchs, who, as our author obliges them, must all derive their power from these fountains. Let us then suppose Adam made, "by God's donation," lord and sole proprietor of the whole earth, in as large and ample a manner as sir Robert could wish; let us suppose him also, "by right of fatherhood," absolute ruler over his children with an unlimited supremacy; I ask then, upon Adam's death, what becomes of both his natural and private dominion? and I doubt not it will be answered, that they descended to his next heir, as our author tells us in several places. But this way, it is plain, cannot possibly convey both his natural and private dominion to the same person: for should we allow that all the property, all the estate of the father, ought to descend to the eldest son, (which will need some proof to establish it) and so he has by that title all the private dominion of the father, yet the father's natural dominion, the paternal power, cannot descend to him by inheritance: for it being a right that accrues to a man only by begetting, no man can have this natural dominion over any one he does not beget; unless it can be supposed that a man can have a right to any thing, without doing that upon which that right is solely founded: for if a father by begetting, and no other title, has natural dominion over his children, he that does not beget them cannot have this natural dominion over them; and therefore be it true or false, that our author says, O. 156, That "every man that is born, by his very birth, becomes a subject to him that begets him," this necessarily follows, viz. That a man by his birth cannot become a subject to his brother, who did not beget him; unless it can be supposed that a man by the very same title can come to be under the "natural and absolute dominion" of two different men at once; or it be sense to say, that a man by birth is under the natural dominion of his father, only because he begat him, and a man by birth also is

under the natural dominion of his eldest brother, though he did not beget him.

§ 75. If then the private dominion of Adam, *i. e.* his property in the creatures, descended at his death all entirely to his eldest son, his heir; (for, if it did not, there is presently an end of all sir Robert's monarchy) and his natural dominion, the dominion a father has over his children by begetting them, belonged, immediately upon Adam's decease, equally to all his sons who had children, by the same title their father had it, the sovereignty founded upon property, and the sovereignty founded upon fatherhood, come to be divided; since Cain, as heir, had that of property alone: Seth, and the other sons, that of fatherhood equally with him. This is the best can be made of our author's doctrine, and of the two titles of sovereignty he sets up in Adam: one of them will either signify nothing; or, if they both must stand, they can serve only to confound the rights of princes, and disorder government in his posterity: for by building upon two titles to dominion, which cannot descend together, and which he allows may be separated, (for he yields that "Adam's children had their distinct territories by right of private dominion," O. 210, p. 40) he makes it perpetually a doubt upon his principles where the sovereignty is, or to whom we owe our obedience; since fatherhood and property are distinct titles, and began presently upon Adam's death to be in distinct persons. And which then was to give way to the other?

§ 76. Let us take the account of it, as he himself gives it us. He tells us out of Grotius, that "Adam's children, by donation, assignation, or some kind of cession before he was dead, had their distinct territories by right of private dominion; Abel had his flocks, and pastures for them: Cain had his fields for corn, and the land of Nod, where he built him a city," O. 210. Here it is obvious to demand, which of these two after Adam's death was sovereign? Cain, says our author, p. 19. By what title? "As heir; for heirs to progenitors, who were natural parents of

their people, are not only lords of their own children, but also of their brethren," says our author, p. 19. What was Cain heir to? Not the entire possessions, not all that which Adam had private dominion in; for our author allows that Abel, by a title derived from his father, "had his distinct territory for pasture by right of private dominion." What then Abel had by private dominion, was exempt from Cain's dominion: for he could not have private dominion over that which was under the private dominion of another; and therefore his sovereignty over his brother is gone with this private dominion, and so there are presently two sovereigns, and his imaginary title of fatherhood is out of doors, and Cain is no prince over his brother: or else, if Cain retain his sovereignty over Abel, notwithstanding his private dominion, it will follow, that the "first grounds and principles of government" have nothing to do with property, whatever our author says to the contrary. It is true, Abel did not outlive his father Adam; but that makes nothing to the argument, which will hold good against sir Robert in Abel's issue, or in Seth, or any of the posterity of Adam, not descended from Cain.

§ 77. The same inconvenience he runs into about the three sons of Noah, who, as he says, p. 13, "had the whole world divided amongst them by their father." I ask then, in which of the three we shall find "the establishment of regal power" after Noah's death? If in all three, as our author there seems to say, then it will follow, that regal power is founded in property of land, and follows private dominion, and not in paternal power or natural dominion; and so there is an end of paternal power as the fountain of regal authority, and the so much magnified fatherhood quite vanishes. If the regal power descended to Shem as eldest, and heir to his father, then "Noah's division of the world by lot to his sons, or his ten years' sailing about the Mediterranean to appoint each son his part," which our author tells of, p. 15, was labour lost; his division of the world to them, was to ill, or to no purpose: for his grant to Cham and Japhet was little worth, if

Shem, notwithstanding this grant, as soon as Noah was dead, was to be lord over them. Or, if this grant of private dominion to them, over their assigned territories' were good, here were set up two distinct sorts of power, not subordinate one to the other, with all those inconveniencies which he musters up against the "power of the people," O. 158, which I shall set down in his own words, only changing property for people: "All power on earth is either derived or usurped from the fatherly power, there being no other original to be found of any power whatsoever: for if there should be granted two sorts of power, without any subordination of one to the other, they would be in perpetual strife which should be supreme, for two supremes cannot agree: if the fatherly power be supreme, then the power grounded on private dominion must be subordinate, and depend on it; and if the power grounded on property be supreme, then the fatherly power must submit to it, and cannot be exercised without the licence of the proprietors, which must quite destroy the frame and course of nature." This is his own arguing against two distinct independent powers, which I have set down in his own words, only putting power rising from property, for power of the people; and when he has answered what he himself has urged here against two distinct powers, we shall be better able to see how, with any tolerable sense, he can derive all regal authority "from the natural and private dominion of Adam," from fatherhood and property together, which are distinct titles, that do not always meet in the same persons; and it is plain, by his own confession, presently separated as soon both as Adam's and Noah's death made way for succession: though our author frequently in his writings jumbles them together, and omits not to make use of either, where he thinks it will sound best to his purpose. But the absurdities of this will more fully appear in the next chapter, where we shall examine the ways of conveyance of the sovereignty of Adam to princes that were to reign after him.

CHAPTER VIII.

Of the Conveyance of Adam's sovereign monarchical Power.

§ 78. Sir Robert, having not been very happy in any proof he brings for the sovereignty of Adam, is not much more fortunate in conveying it to future princes; who, if his politics be true, must all derive their titles from that first monarch. The ways he has assigned, as they lie scattered up and down in his writings, I will set down in his own words: in his preface he tells us, that "Adam being monarch of the whole world, none of his posterity had any right to possess any thing, but by his grant or permission, or by succession from him." Here he makes two ways of conveyance of any thing Adam stood possessed of; and those are grants, or succession. Again he says, "All kings either are, or are to be reputed, the next heirs to those first progenitors, who were at first the natural parents of the whole people," p. 19.—"There cannot be any multitude of men whatsoever, but that in it, considered by itself, there is one man amongst them, that in nature hath a right to be the king of all the rest, as being the next heir to Adam," O. 253. Here in these places inheritance is the only way he allows of conveying monarchical power to princes. In other places he tells us, O. 155, "All power on earth is either derived or usurped from the fatherly power," O. 158. "All kings that now are, or ever were, are or were either fathers of their people, or heirs of such fathers, or usurpers of the right of such fathers," O. 253. And here he makes inheritance or usurpation the only way whereby kings come by this original power: but yet he tells us, "this

fatherly empire, as it was of itself hereditary, so it was alienable by patent, and seizable by an usurper," O. 190. So then here inheritance, grant, or usurpation, will convey it. And last of all, which is most admirable, he tells us, p. 100, "It skills not which way kings come by their power, whether by election, donation, succession, or by any other means; for it is still the manner of the government by supreme power that makes them properly kings, and not the means of obtaining their crowns." Which I think is a full answer to all his whole hypothesis and discourse about Adam's royal authority, as the fountain from which all princes were to derive theirs: and he might have spared the trouble of speaking so much as he does, up and down, of heirs and inheritance, if to make any one properly a king needs no more but "governing by supreme power, and it matters not by what means he came by it."

§ 79. By this notable way, our author may make Oliver as properly king as any one else he could think of: and had he had the happiness to live under Massaniello's government, he could not by this his own rule have forborne to have done homage to him, with "O king live for ever," since the manner of his government by supreme power made him properly king, who was but the day before properly a fisherman. And if Don Quixote had taught his squire to govern with supreme authority, our author no doubt could have made a most loyal subject in Sancho Pancha's island; he must needs have deserved some preferment in such governments, since I think he is the first politician who, pretending to settle government upon its true basis, and to establish the thrones of lawful princes, ever told the world, that he was "properly a king, whose manner of government was by supreme power, by what means soever he obtained it;" which in plain English is to say, that regal and supreme power is properly and truly his, who can by any means seize upon it: and if this be to be properly a king, I wonder how he came to think of, or where he will find, an usurper.

§ 80. This is so strange a doctrine, that the surprise of it hath made me pass by, without their due reflection, the contradictions he runs into, by making sometimes inheritance alone, sometimes only grant or inheritance, sometimes only inheritance or usurpation, sometimes all these three, and at last election, or any other means, added to them, the ways whereby Adam's royal authority, that is, his right to supreme rule, could be conveyed down to future kings and governors, so as to give them a title to the obedience and subjection of the people. But these contradictions lie so open, that the very reading of our author's own words will discover them to any ordinary understanding; and though what I have quoted out of him (with abundance more of the same strain and coherence, which might be found in him) might well excuse me from any farther trouble in this argument, yet having proposed to myself to examine the main parts of his doctrine, I shall a little more particularly consider how inheritance, grant, usurpation, or election, can any way make out government in the world upon his principles; or derive to any one a right of empire, from this regal authority of Adam, had it been ever so well proved that he had been absolute monarch, and lord of the whole world.

CHAPTER IX.

Of Monarchy by Inheritance from Adam.

§ 81. THOUGH it be ever so plain, that there ought to be government in the world, nay, should all men be of our author's mind, that divine appointment had ordained it to be monarchical; yet, since men cannot obey any thing that cannot command; and ideas of government in the fancy, though ever so perfect, though ever so right, cannot give laws, nor pre-

scribe rules to the actions of men; it would be of no behoof for the settling of order, and establishment of government in its exercise and use amongst men, unless there were a way also taught how to know the person, to whom it belonged to have this power, and exercise this dominion over others. It is in vain then to talk of subjection and obedience without telling us whom we are to obey: for were I ever so fully persuaded that there ought to be magistracy and rule in the world; yet I am nevertheless at liberty still, till it appears who is the person that hath right to my obedience; since, if there be no marks to know him by, and distinguish him that hath right to rule from other men, it may be myself, as well as any other; and therefore, though submission to government be every one's duty, yet since that signifies nothing but submitting to the direction and laws of such men as have authority to command, it is not enough to make a man a subject, to convince him that there is regal power in the world; but there must be ways of designing, and knowing the person to whom this regal power of right belongs; and a man can never be obliged in conscience to submit to any power, unless he can be satisfied who is the person who has a right to exercise that power over him. If this were not so, there would be no distinction between pirates and lawful princes; he that has force is without any more ado to be obeyed, and crowns and sceptres would become the inheritance only of violence and rapine. Men too might as often and as innocently change their governors, as they do their physicians, if the person cannot be known who has a right to direct me, and whose prescriptions I am bound to follow. To settle therefore men's consciences, under an obligation to obedience, it is necessary that they know not only that there is a power somewhere in the world, but the person who by right is vested with this power over them.

§ 82. How successful our author has been in his attempts to set up a monarchical absolute power in Adam, the reader may judge by what has been already said; but were that absolute monarchy as clear as our author would desire it, as I presume it is the contrary, yet it

could be of no use to the government of mankind now in the world, unless he also make out these two things.

First, that this power of Adam was not to end with him, but was upon his decease conveyed entire to some other person, and so on to posterity.

Secondly, that the princes and rulers now on earth are possessed of this power of Adam, by a right way of conveyance derived to them.

§ 83. If the first of these fail, the power of Adam, were it ever so great, ever so certain, will signify nothing to the present government and societies in the world; but we must seek out some other original of power for the government of polities than this of Adam, or else there will be none at all in the world. If the latter fail, it will destroy the authority of the present governors, and absolve the people from subjection to them, since they, having no better claim than others to that power, which is alone the fountain of all authority, can have no title to rule over them.

§ 84. Our author, having fancied an absolute sovereignty in Adam, mentions several ways of its conveyance to princes, that were to be his successors; but that which he chiefly insists on is that of inheritance, which occurs so often in his several discourses; and I having in the foregoing chapter quoted several of these passages, I shall not need here again to repeat them. This sovereignty he erects, as has been said, upon a double foundation, viz. that of property, and that of fatherhood. One was the right he was supposed to have in all creatures, a right to possess the earth with the beasts, and other inferior ranks of things in it, for his private use, exclusive of all other men. The other was the right he was supposed to have to rule and govern men, all the rest of mankind.

§ 85. In both these rights, there being supposed an exclusion of all other men, it must be upon some reason peculiar to Adam, that they must both be founded.

That of his property our author supposes to rise from

God's immediate donation, Gen. i. 28, and that of fatherhood from the act of begetting. Now in all inheritance, if the heir succeed not to the reason upon which his father's right was founded, he cannot succeed to the right which followeth from it. For example, Adam had a right of property in the creatures upon the donation and grant of God Almighty, who was lord and proprietor of them all: let this be so as our author tells us, yet upon his death his heir can have no title to them, no such right of property in them, unless the same reason, viz. God's donation, vested a right in the heir too: for if Adam could have had no property in, nor use of the creatures, without this positive donation from God, and this donation were only personally to Adam, his heir could have no right by it; but upon his death it must revert to God, the lord and owner again; for positive grants give no title farther than the express words convey it, and by which only it is held. And thus, if, as our author himself contends, that donation, Gen. i. 28, were made only to Adam personally, his heir could not succeed to his property in the creatures: and if it were a donation to any but Adam, let it be shown that it was to his heir in our author's sense, *i. e.* to one of his children, exclusive of all the rest.

§ 86. But not to follow our author too far out of the way, the plain of the case is this: God having made man, and planted in him, as in all other animals, a strong desire of self-preservation, and furnished the world with things fit for food and raiment, and other necessaries of life, subservient to his design, that man should live and abide for some time upon the face of the earth, and not that so curious and wonderful a piece of workmanship, by his own negligence, or want of necessaries, should perish again, presently after a few moments continuance; God, I say, having made man and the world thus, spoke to him, (that is) directed him by his senses and reason, as he did the inferior animals by their sense and instinct, which were serviceable for his subsistence, and given him as the means of his preservation; and there-

fore I doubt not, but before these words were pronounced, Gen. i. 28, 29, (if they must be understood literally to have been spoken) and without any such verbal donation, man had a right to an use of the creatures, by the will and grant of God: for the desire, strong desire, of preserving his life and being, having been planted in him as a principle of action by God himself, reason, "which was the voice of God in him," could not but teach him and assure him that pursuing that natural inclination he had to preserve his being, he followed the will of his Maker, and therefore had a right to make use of those creatures which by his reason or senses he could discover would be serviceable thereunto. And thus man's property in the creatures was founded upon the right he had to make use of those things that were necessary or useful to his being.

§ 87. This being the reason and foundation of Adam's property, gave the same title on the same ground to all his children, not only after his death, but in his lifetime: so that here was no privilege of his heir above his other children, which could exclude them from an equal right to the use of the inferior creatures, for the comfortable preservation of their beings, which is all the property man hath in them; and so Adam's sovereignty built on property, or, as our author calls it, private dominion, comes to nothing. Every man had a right to the creatures by the same title Adam had, viz. by the right every one had to take care of and provide for their subsistence: and thus men had a right in common, Adam's children in common with him. But if any one had begun, and made himself a property in any particular thing, (which how he, or any one else, could do, shall be shown in another place) that thing, that possession, if he disposed not otherwise of it by his positive grant, descended naturally to his children, and they had a right to succeed to it and possess it.

§ 88. It might reasonably be asked here, how come children by this right of possessing, before any other, the properties of their parent's upon their decease? for it being personally the parents, when they die, without actually transferring their right to another, why does it not

return again to the common stock of mankind? It will perhaps be answered, that common consent hath disposed of it to their children. Common practice, we see indeed, does so dispose of it; but we cannot say that it is the common consent of mankind; for that hath never been asked, nor actually given; and if common tacit consent hath established it, it would make but a positive, and not a natural right of children to inherit the goods of their parents: but where the practice is universal, it is reasonable to think the cause is natural. The ground then I think to be this: the first and strongest desire God planted in men, and wrought into the very principles of their nature, being that of self-preservation, that is the foundation of a right to the creatures for the particular support and use of each individual person himself. But, next to this, God planted in men a strong desire also of propagating their kind, and continuing themselves in their posterity; and this gives children a title to share in the property of their parents, and a right to inherit their possessions. Men are not proprietors of what they have, merely for themselves; their children have a title to part of it, and have their kind of right joined with their parents in the possession, which comes to be wholly theirs, when death, having put an end to their parents' use of it, hath taken them from their possessions; and this we call inheritance: men being by a like obligation bound to preserve what they have begotten, as to preserve themselves, their issue come to have a right in the goods they are possessed of. That children have such a right is plain from the laws of God; and that men are convinced that children have such a right is evident from the law of the land; both which laws require parents to provide for their children.

§ 89. For children being by the course of nature born weak, and unable to provide for themselves, they have by the appointment of God himself, who hath thus ordered the course of nature, a right to be nourished and maintained by their parents; nay, a right not only to a bare subsistence, but to the conveniencies and comforts of life, as far as the conditions of their parents

can afford it. Hence it comes, that when their parents leave the world, and so the care due to their children ceases, the effects of it are to extend as far as possibly they can, and the provisions they have made in their lifetime are understood to be intended, as nature requires they should, for their children, whom, after themselves, they are bound to provide for: though the dying parents, by express words, declare nothing about them, nature appoints the descent of their property to their children, who thus come to have a title, and natural right of inheritance to their fathers' goods, which the rest of mankind cannot pretend to.

§ 90. Were it not for this right of being nourished and maintained by their parents, which God and nature has given to children, and obliged parents to as a duty, it would be reasonable that the father should inherit the estate of his son, and be preferred in the inheritance before his grandchild: for to the grandfather there is due a long score of care and expenses laid out upon the breeding and education of his son, which one would think in justice ought to be paid. But that having been done in obedience to the same law, whereby he received nourishment and education from his own parents; this score of education, received from a man's father, is paid by taking care and providing for his own children; is paid, I say, as much as is required of payment by alteration of property, unless present necessity of the parents require a return of goods for their necessary support and subsistence: for we are not now speaking of that reverence, acknowledgment, respect, and honour, that is always due from children to their parents; but of possessions and commodities of life valuable by money. But though it be incumbent on parents to bring up and provide for their children, yet this debt to their children does not quite cancel the score to their parents; but only is made by nature preferable to it: for the debt a man owes his father takes place, and gives the father a right to inherit the son's goods, where, for want of issue, the right of issue doth not exclude that title; and therefore a man having a right to be maintained by his children, where he needs it, and to enjoy also the com-

forts of life from them, when the necessary provision due to them and their children will afford it; if his son die without issue, the father has a right in nature to possess his goods and inherit his estate, (whatever the municipal laws of some countries may absurdly direct otherwise); and so again his children and their issue from him; or, for want of such, his father and his issue. But where no such are to be found, *i. e.* no kindred, there we see the possessions of a private man revert to the community, and so in politic societies come into the hands of the public magistrate; but in the state of nature become again perfectly common, nobody having a right to inherit them: nor can any one have a property in them, otherwise than in any other things common by nature; of which I shall speak in its due place.

§ 91. I have been the larger, in showing upon what ground children have a right to succeed to the possession of their fathers' properties, not only because by it, it will appear, that if Adam had a property (a titular, insignificant, useless property; for it could be no better, for he was bound to nourish and maintain his children and posterity out of it) in the whole earth and its product; yet all his children coming to have, by the law of nature, and right of inheritance, a joint title, and a right of property in it after his death, it could convey no right of sovereignty to any one of his posterity over the rest; since every one having a right of inheritance to his portion, they might enjoy their inheritance, or any part of it, in common, or share it, or some parts of it, by division, as it best liked them. But no one could pretend to the whole inheritance, or any sovereignty supposed to accompany it; since a right of inheritance gave every one of the rest, as well as any one, a title to share in the goods of his father. Not only upon this account, I say, have I been so particular in examining the reason of children's inheriting the property of their fathers, but also because it will give us farther light in the inheritance of rule and power, which in countries where their particular municipal laws give the whole possession of land entirely to the first-born, and descent of power has gone so to men by this custom, that some

have been apt to be deceived into an opinion, that there was a natural or divine right of primogeniture to both estate and power; and that the inheritance of both rule over men, and property in things, sprang from the same original, and were to descend by the same rules.

§ 92. Property, whose original is from the right a man has to use any of the inferior creatures, for the subsistence and comfort of his life, is for the benefit and sole advantage of the proprietor, so that he may even destroy the thing, that he has property in by his use of it, where need requires: but government being for the preservation of every man's right and property, by preserving him from the violence or injury of others, is for the good of the governed: for the magistrate's sword being for a "terror to evil doers," and by that terror to enforce men to observe the positive laws of the society, made conformable to the laws of nature, for the public good, *i. e.* the good of every particular member of that society, as far as by common rules it can be provided for; the sword is not given the magistrate for his own good alone.

§ 93. Children, therefore, as has been showed, by the dependence they have on their parents for subsistence, have a right of inheritance to their fathers' property, as that which belongs to them for their proper good and behoof, and therefore are fitly termed goods, wherein the first-born has not a sole or peculiar right by any law of God and nature, the younger children having an equal title with him, founded on that right they all have to maintenance, support, and comfort from their parents, and on nothing else. But government being for the benefit of the governed, and not the sole advantage of the governors, (but only for theirs with the rest, as they make a part of that politic body, each of whose parts and members are taken care of, and directed in its peculiar functions for the good of the whole, by the laws of society) cannot be inherited by the same title that children have to the goods of their father. The right a son has to be maintained and pro-

vided with the necessaries and conveniencies of life out of his father's stock, gives him a right to succeed to his father's property for his own good; but this can give him no right to succeed also to the rule which his father had over other men. All that a child has right to claim from his father is nourishment and education, and the things nature furnishes for the support of life: but he has no right to demand rule or dominion from him: he can subsist and receive from him the portion of good things and advantages of education naturally due to him, without empire and dominion. That (if his father hath any) was vested in him, for the good and behoof of others: and therefore the son cannot claim or inherit it by a title, which is founded wholly on his own private good and advantage.

§ 94. We must know how the first ruler, from whom any one claims, came by his authority, upon what ground any one has empire, what his title is to it, before we can know who has a right to succeed him in it, and inherit it from him: if the agreement and consent of men first gave a sceptre into any one's hand, or put a crown on his head, that also must direct its descent and conveyance; for the same authority, that made the first a lawful ruler, must make the second too, and so give right of succession: in this case inheritance, or primogeniture, can in itself have no right, no pretence to it, any farther than that consent, which established the form of the government, hath so settled the succession. And thus we see the succession of crowns, in several countries, places it on different heads, and he comes by right of succession to be a prince in one place, who would be a subject in another.

§ 95. If God, by his positive grant and revealed declaration, first gave rule and dominion to any man, he that will claim by that title, must have the same positive grant of God for his succession: for if that has not directed the course of its descent and conveyance down to others, nobody can succeed to this title of the first ruler. Children have no right of inheritance to this; and primogeniture can lay no claim to it, unless God,

the Author of this constitution, hath so ordained it. Thus we see the pretensions of Saul's family, who received his crown from the immediate appointment of God, ended with his reign; and David, by the same title that Saul reigned, viz. God's appointment, succeeded in his throne, to the exclusion of Jonathan, and all pretensions of paternal inheritance: and if Solomon had a right to succeed his father, it must be by some other title than that of primogeniture. A cadet, or sister's son, must have the preference in succession, if he has the same title the first lawful prince had: and in dominion that has its foundation only in the positive appointment of God himself, Benjamin, the youngest, must have the inheritance of the crown, if God so direct, as well as one of that tribe had the first possession.

§ 96. If paternal right, the act of begetting, give a man rule and dominion, inheritance or primogeniture can give no title; for he that cannot succeed to his father's title, which was begetting, cannot succeed to that power over his brethren, which his father had by paternal right over them. But of this I shall have occasion to say more in another place. This is plain in the meantime, that any government, whether supposed to be at first founded in paternal right, consent of the people, or the positive appointment of God himself, which can supersede either of the other, and so begin a new government upon a new foundation; I say, any government began upon either of these, can by right of succession come to those only, who have the title of him they succeed to: power founded on contract can descend only to him who has right by that contract: power founded on begetting, he only can have that begets; and power founded on the positive grant or donation of God, he only can have by right of succession to whom that grant directs it.

§ 97. From what I have said, I think this is clear, that a right to the use of the creatures, being founded originally in the right a man has to subsist and enjoy the conveniencies of life; and the natural right children have to inherit the goods of their parents being founded

in the right they have to the same subsistence and commodities of life, out of the stock of their parents, who are therefore taught by natural love and tenderness to provide for them, as a part of themselves; and all this being only for the good of the proprietor or heir; it can be no reason for children's inheriting of rule and dominion, which has another original and a different end. Nor can primogeniture have any pretence to a right of solely inheriting either property or power, as we shall, in its due place, see more fully. It is enough to have showed here, that Adam's property or private dominion could not convey any sovereignty or rule to his heir, who not having a right to inherit all his father's possessions, could not thereby come to have any sovereignty over his brethren: and therefore, if any sovereignty on account of his property had been vested in Adam, which in truth there was not, yet it would have died with him.

§ 98. As Adam's sovereignty, if, by virtue of being proprietor of the world, he had any authority over men, could not have been inherited by any of his children over the rest, because they had the same title to divide the inheritance, and every one had a right to a portion of his father's possessions: so neither could Adam's sovereignty by right of fatherhood, if any such he had, descend to any one of his children: for it being, in our author's account, a right acquired by begetting, to rule over those he had begotten, it was not a power possible to be inherited, because the right being consequent to, and built on, an act perfectly personal, made that power so too, and impossible to be inherited: for paternal power, being a natural right rising only from the relation of father and son, is as impossible to be inherited as the relation itself; and a man may pretend as well to inherit the conjugal power of the husband, whose heir he is, had over his wife, as he can to inherit the paternal power a father over his children: for the power of the husband being founded on contract, and the power of the father on begetting, he may as well inherit the power obtained by the conjugal contract, which was only personal, as he may the power obtained

by begetting, which could reach no farther than the person of the begetter, unless begetting can be a title to power in him that does not beget.

§ 99. Which makes it a reasonable question to ask, Whether Adam, dying before Eve, his heir, (suppose Cain or Seth) should have by right of inheriting Adam's fatherhood, sovereign power over Eve his mother? for Adam's fatherhood being nothing but a right he had to govern his children, because he begot them, he that inherits Adam's fatherhood, inherits nothing, even in our author's sense, but the right Adam had to govern his children, because he begot them: so that the monarchy of the heir would not have taken in Eve; or if it did, it being nothing but the fatherhood of Adam descended by inheritance, the heir must have right to govern Eve, because Adam begot her; for fatherhood is nothing else.

§ 100. Perhaps it will be said with our author, that a man can alien his power over his child; and what may be transferred by compact, may be possessed by inheritance. I answer, a father cannot alien the power he has over his child: he may perhaps to some degrees forfeit it, but cannot transfer it; and if any other man acquire it, it is not by the father's grant, but by some act of his own. For example, a father, unnaturally careless of his child, sells or gives him to another man; and he again exposes him; a third man finding him, breeds him up, cherishes, and provides for him as his own: I think in this case, nobody will doubt, but that the greatest part of filial duty and subjection was here owing, and to be paid to this foster-father; and if any thing could be demanded from the child by either of the other, it could be only due to his natural father, who perhaps might have forfeited his right to much of that duty comprehended in the command, "Honour your parents," but could transfer none of it to another. He that purchased and neglected the child, got by his purchase and grant of the father no title to duty or honour from the child; but only he acquired it, who by his own authority, performing the office and care

of a father to the forlorn and perishing infant, made himself, by paternal care, a title to proportionable degrees of paternal power. This will be more easily admitted, upon consideration of the nature of paternal power, for which I refer my reader to the second book.

§ 101. To return to the argument in hand; this is evident, That paternal power arising only from begetting, for in that our author places it alone, can neither be transferred nor inherited: and he that does not beget, can no more have paternal power, which arises from thence, than he can have a right to any thing, who performs not the condition, to which only it is annexed. If one should ask, by what law has a father power over his children? it will be answered, no doubt, by the law of nature, which gives such a power over them to him that begets them. If one should ask likewise, by what law does our author's heir come by a right to inherit? I think it would be answered, by the law of nature too: for I find not that our author brings one word of Scripture to prove the right of such an heir he speaks of. Why then the law of nature gives fathers paternal power over their children, because they did beget them: and the same law of nature gives the paternal power to the heir over his brethren who did not beget them: whence it follows, that either the father has not his paternal power by begetting, or else that the heir has it not at all; for it is hard to understand how the law of nature, which is the law of reason, can give the paternal power to the father over his children, for the only reason of begetting; and to the first-born over his brethren without this only reason, *i. e.* for no reason at all: and if the eldest, by the law of nature, can inherit this paternal power, without the only reason that gives a title to it, so may the youngest as well as he, and a stranger as well as either; for where there is no reason for any one, as there is not, but for him that begets, all have an equal title. I am sure our author offers no reason; and when any body does, we shall see whether it will hold or no.

§ 102. In the mean time it is as good sense to say, that by the law of nature a man has right to inherit the property of another, because he is of kin to him, and is known to be of his blood; and therefore, by the same law of nature, an utter stranger to his blood has right to inherit his estate; as to say that, by the law of nature, he that begets them has paternal power over his children, and therefore, by the law of nature, the heir that begets them not, has this paternal power over them: or supposing the law of the land gave absolute power over their children, to such only who nursed them, and fed their children themselves, could any body pretend that this law gave any one, who did no such thing, absolute power over those who were not his children?

§ 103. When therefore it can be showed that conjugal power can belong to him that is not an husband, it will also I believe be proved, that our author's paternal power, acquired by begetting, may be inherited by a son; and that a brother, as heir to his father's power, may have paternal power over his brethren, and by the same rule conjugal power too: but till then I think we may rest satisfied that the paternal power of Adam, this sovereign authority of fatherhood, were there any such, could not descend to, nor be inherited by his next heir. Fatherly power, I easily grant our author, if it will do him any good, can never be lost, because it will be as long in the world as there are fathers: but none of them will have Adam's paternal power, or derive theirs from him; but every one will have his own by the same title Adam had his, viz. by begetting, but not by inheritance or succession, no more than husbands have their conjugal power by inheritance from Adam. And thus we see, as Adam had no such property, no such paternal power, as gave him sovereign jurisdiction over mankind; so likewise his sovereignty built upon either of these titles, if he had any such, could not have descended to his heir, but must have ended with him. Adam therefore, as has been proved, being neither monarch, nor his imaginary monarchy hereditable, the power which is now in the world is not that which was

Adam's; since all that Adam could have, upon our author's grounds, either of property or fatherhood, necessarily died with him, and could not be conveyed to posterity by inheritance. In the next place we will consider whether Adam had any such heir to inherit his power as our author talks of.

CHAPTER X.

Of the Heir to Adam's monarchical Power.

§ 104. Our author tells us, O. 253, "That it is a truth undeniable, that there cannot be any multitude of men whatsoever, either great or small, though gathered together from the several corners and remotest regions of the world, but that in the same multitude, considered by itself, there is one man amongst them that in nature hath a right to be king of all the rest, as being the next heir to Adam, and all the other subjects to him: every man by nature is a king or a subject." And again, p. 20, "If Adam himself were still living, and now ready to die, it is certain that there is one man, and but one in the world, who is next heir." Let this multitude of men be, if our author pleases, all the princes upon the earth, there will then be, by our author's rule, "one amongst them that in nature hath a right to be king of all the rest, as being the right heir to Adam;" an excellent way to establish the thrones of princes, and settle the obedience of their subjects, by setting up an hundred, or perhaps a thousand titles (if there be so many princes in the world) against any king now reigning, each as good, upon our author's grounds, as his who wears the crown. If this right of heir carry any weight with it, if it be the ordinance of God, as our author seems to tell us, O. 244, must not all be subject

to it, from the highest to the lowest? Can those who wear the name of princes, without having the right of being heirs to Adam, demand obedience from their subjects by this title, and not be bound to pay it by the same law? Either governments in the world are not to be claimed, and held by this title of Adam's heir; and then the starting of it is to no purpose, the being or not being Adam's heir signifies nothing as to the title of dominion: or if it really be, as our author says, the true title to government and sovereignty; the first thing to be done is to find out this true heir of Adam, seat him in his throne, and then all the kings and princes of the world ought to come and resign up their crowns and sceptres to him, as things that belong no more to them than to any of their subjects.

§ 105. For either this right in nature of Adam's heir to be king over all the race of men, (for all together they make one multitude) is a right not necessary to the making of a lawful king, and so there may be lawful kings without it, and then kings' titles and power depend not on it; or else all the kings in the world but one are not lawful kings, and so have no right to obedience: either this title of heir to Adam is that whereby kings hold their crowns, and have a right to subjection from their subjects, and then one only can have it, and the rest being subjects can require no obedience from other men who are but their fellow-subjects; or else it is not the title whereby kings rule, and have a right to obedience from their subjects, and then kings are kings without it, and this dream of the natural sovereignty of Adam's heir is of no use to obedience and government: for if kings have a right to dominion and the obedience of their subjects who are not, nor can possibly be, heirs to Adam, what use is there of such a title, when we are obliged to obey without it? If kings, who are not heirs to Adam, have no right to sovereignty, we are all free, till our author, or any body for him, will show us Adam's right heir. If there be but one heir of Adam, there can be but one lawful king in the world, and nobody in conscience can be obliged to obedience till it be resolved who that is; for it may

be any one, who is not known to be of a younger house, and all others have equal titles. If there be more than one heir of Adam, every one is his heir, and so every one has regal power: for if two sons can be heirs together, then all the sons equally are heirs, and so all are heirs, being all sons, or sons' sons of Adam. Betwixt these two the right of heir cannot stand; for by it either but one only man, or all men are kings. Take which you please, it dissolves the bonds of government and obedience; since if all men are heirs, they can owe obedience to nobody; if only one, nobody can be obliged to pay obedience to him till he be known, and his title made out.

CHAPTER XI.

Who Heir?

§ 106. The great question which in all ages has disturbed mankind, and brought on them the greatest part of those mischiefs which have ruined cities, depopulated countries, and disordered the peace of the world, has been, not whether there be power in the world, nor whence it came, but who should have it. The settling of this point being of no smaller moment than the security of princes, and the peace and welfare of their estates and kingdoms, a reformer of politics, one would think, should lay this sure, and be very clear in it: for if this remain disputable, all the rest will be to very little purpose; and the skill used in dressing up power with all the splendor and temptation absoluteness can add to it, without showing who has a right to have it, will serve only to give a greater edge to man's natural ambition, which of itself is but too keen. What can this do but set men on the more eagerly to scramble, and so lay a sure and lasting foundation of endless contention and disorder, instead of that peace and tran-

quillity, which is the business of government, and the end of human society?

§ 107. This designation of the person our author is more than ordinary obliged to take care of, because he affirming that "the assignment of civil power is by divine institution," hath made the conveyance as well as the power itself sacred: so that no consideration, no act or art of man, can divert it from that person to whom, by this divine right, it is assigned; no necessity or contrivance can substitute another person in his room. For if the "assignment of civil power be by divine institution," and Adam's heir be he to whom it is thus assigned, as in the foregoing chapter our author tells us, it would be as much sacrilege for any one to be king, who was not Adam's heir, as it would have been amongst the Jews for any one to have been priest who had not been of Aaron's posterity: for not only the priesthood in general being by divine institution, but the assignment of it" to the sole line and posterity of Aaron, made it impossible to be enjoyed or exercised by any one but those persons who were the offspring of Aaron: whose succession therefore was carefully observed, and by that the persons who had a right to the priesthood certainly known.

§ 108. Let us see then what care our author has taken to make us know who is "this heir, who by divine institution has a right to be king over all men." The first account of him we meet with is p. 12, in these words: "This subjection of children being the fountain of all regal authority, by the ordination of God himself; it follows that civil power, not only in general, is by divine institution, but even the assignment of it, specifically to the eldest parents." Matters of such consequence as this is should be in plain words, as little liable as might be to doubt or equivocation; and I think if language be capable of expressing any thing distinctly and clearly, that of kindred, and the several degrees of nearness of blood, is one. It were therefore to be wished that our author had used a little more intelligible expressions here, that we might have better known who it is to whom the

assignment of civil power is made by divine institution; or at least would have told us what he meant by eldest parents: for I believe if land had been assigned or granted to him, and the eldest parents of his family, he would have thought it had needed an interpreter; and it would scarce have been known to whom next it belonged.

§ 109. In propriety of speech, (and certainly propriety of speech is necessary in a discourse of this nature) eldest parents signifies either the eldest men and women that have had children, or those who have longest had issue; and then our author's assertion will be, that those fathers and mothers who have been longest in the world, or longest fruitful, have by divine institution a right to civil power. If there be any absurdity in this, our author must answer for it: and if his meaning be different from my explication, he is to be blamed, that he would not speak it plainly. This I am sure, parents cannot signify heirs male, nor eldest parents an infant child: who yet may sometimes be the true heir, if there can be but one. And we are hereby still as much at a loss who civil power belongs to, notwithstanding this "assignment by divine institution," as if there had been no such assignment at all, or our author had said nothing of it. This of eldest parents leaving us more in the dark, who by divine institution has a right to civil power, than those who never heard any thing at all of heir or descent, of which our author is so full. And though the chief matter of his writing be to teach obedience to those who have a right to it, which he tells us is conveyed by descent; yet who those are, to whom this right by descent belongs, he leaves like the philosopher's stone in politics, out of the reach of any one to discover from his writings.

§ 110. This obscurity cannot be imputed to want of language in so great a master of style as sir Robert is, when he is resolved with himself what he would say: and therefore, I fear, finding how hard it would be to settle rules of descent by divine institution, and how little it would be to his purpose, or conduce to the clearing and establishing the titles of princes, if such rules

of descent were settled, he chose rather to content himself with doubtful and general terms, which might make no ill sound in men's ears who were willing to be pleased with them; rather than offer any clear rules of descent of this fatherhood of Adam, by which men's consciences might be satisfied to whom it descended, and know the persons who had a right to regal power, and with it to their obedience.

§ 111. How else is it possible, that laying so much stress, as he does, upon descent, and Adam's heir, next heir, true heir, he should never tell us what heir means, nor the way to know who the next or true heir is? This I do not remember he does any where expressly handle; but, where it comes in his way, very warily and doubtfully touches; though it be so necessary, that without it all discourses of government and obedience upon his principles would be to no purpose, and fatherly power, ever so well made out, will be of no use to any body. Hence he tells us, O. 244, "That not only the constitution of power in general, but the limitation of it to one kind, *i. e.* monarchy, and the determination of it to the individual person and line of Adam, are all three ordinances of God; neither Eve nor her children could either limit Adam's power, or join others with him; and what was given unto Adam was given in his person to his posterity." Here again our author inform us, that the divine ordinance hath limited the descent of Adam's monarchical power. To whom? "To Adam's line and posterity," says our author. A notable limitation, a limitation to all mankind: for if our author can find any one amongst mankind that is not of the line and posterity of Adam, he may perhaps tell him who this next heir of Adam is: but for us, I despair how this limitation of Adam's empire to his line and posterity will help us to find out one heir. This limitation indeed of our author will save those the labour who would look for him amongst the race of brutes, if any such there were; but will very little contribute to the discovery of one next heir amongst men, though it make a short and easy deter-

mination of the question about the descent of Adam's regal power, by telling us that the line and posterity of Adam is to have it, that is, in plain English, any one may have it, since there is no person living that hath not the title of being of the line and posterity of Adam; and while it keeps there, it keeps within our author's limitation by God's ordinance. Indeed, p. 19, he tells us, "that such heirs are not only lords of their own children, but of their brethren;" whereby, and by the words following, which we shall consider anon, he seems to insinuate that the eldest son is heir; but he nowhere, that I know, says it in direct words, but by the instances of Cain and Jacob, that there follow, we may allow this to be so far his opinion concerning heirs, that where there are divers children, the eldest son has the right to be heir. That primogeniture cannot give any title to paternal power, we have already showed. That a father may have a natural right to some kind of power over his children, is easily granted; but that an elder brother has so over his brethren, remains to be proved: God or nature has not any where, that I know, placed such jurisdiction in the first-born; nor can reason find any such natural superiority amongst brethren. The law of Moses gave a double portion of the goods and possessions to the eldest; but we find not any where that naturally, or by God's institution, superiority or dominion belonged to him; and the instances there brought by our author are but slender proofs of a right to civil power and dominion in the first born, and do rather show the contrary.

§ 112. His words are in the forecited place: "And therefore we find God told Cain of his brother Abel, his desire shall be subject unto thee, and thou shalt rule over him." To which I answer,

1. These words of God to Cain are by many interpreters, with great reason, understood in a quite different sense than what our author uses them in.

2. Whatever was meant by them, it could not be that Cain, as elder, had a natural dominion over Abel; for the words are conditional, "If thou dost well;" and

so personal to Cain: and whatever was signified by them did depend on his carriage, and not follow his birthright; and therefore could by no means be an establishment of dominion in the first-born in general: for before this Abel had his "distinct territories by right of private dominion," as our author himself confesses, O. 210, which he could not have had to the prejudice of the heir's title, "if by divine institution" Cain as heir were to inherit all his father's dominion.

3. If this were intended by God as the charter of primogeniture, and the grant of dominion to the elder brothers in general as such, by right of inheritance, we might expect it should have included all his brethren: for we may well suppose, Adam, from whom the world was to be peopled, had by this time, that these were grown up to be men, more sons than these two: whereas Abel himself is not so much as named; and the words in the original can scarce, with any good construction, be applied to him.

4. It is too much to build a doctrine of so mighty consequence upon so doubtful and obscure a place of Scripture, which may well, nay better, be understood in a quite different sense, and so can be but an ill proof, being as doubtful as the thing to be proved by it; especially when there is nothing else in Scripture or reason to be found, that favours or supports it.

§ 113. It follows, p. 19, "Accordingly when Jacob bought his brother's birthright, Isaac blessed him thus; Be lord over thy brethren, and let the sons of thy mother bow before thee." Another instance, I take it, brought by our author to evince dominion due to birthright, and an admirable one it is: for it must be no ordinary way of reasoning in a man, that is pleading for the natural power of kings, and against all compact, to bring, for proof of it, an example, where his own account of it founds all the right upon compact, and settles empire in the younger brother, unless buying and selling be no compact; for he tells us, "when Jacob bought his birthright." But passing by that, let us consider the history itself, with what use our

author makes of it, and we shall find the following mistakes about it.

1. That our author reports this, as if Isaac had given Jacob this blessing immediately upon his purchasing the birthright; for he says, "when Jacob bought, Isaac blessed him;" which is plainly otherwise in the Scripture: for it appears, there was a distance of time between, and if we will take the story in the order it lies, it must be no small distance: all Isaac's sojourning in Gerar, and transactions with Abimelech, Gen. xxvi. coming between; Rebecca being then beautiful, and consequently young: but Isaac, when he blessed Jacob, was old and decrepit: and Esau also complains of Jacob, Gen. xxvii. 36, that two times he had supplanted him; "he took away my birthright, (says he) and behold now he hath taken away my blessing;" words, that I think signify distance of time and difference of action.

2. Another mistake of our author's is, that he supposes Isaac gave Jacob the blessing, and bid him be "lord over his brethren," because he had the birthright; for our author brings this example to prove, that he that has the birthright, has thereby a right to "be lord over his brethren." But it is also manifest by the text, that Isaac had no consideration of Jacob's having bought the birthright; for when he blessed him, he considered him not as Jacob, but took him for Esau. Nor did Esau understand any such connexion between birthright and the blessing; for he says, "He hath supplanted me these two times; he took away my birthright, and behold now he hath taken away my blessing:" whereas had the blessing, which was to be "lord over his brethren," belonged to the birthright, Esau could not have complained of this second as a cheat, Jacob having got nothing but what Esau had sold him, when he sold him his birthright; so that it is plain, dominion, if these words signify it, was not understood to belong to the birthright.

§ 114. And that, in those days of the patriarchs, dominion was not understood to be the right of the heir,

but only a greater portion of goods, is plain from Gen. xxi. 10; for Sarah, taking Isaac to be heir, says, "cast out this bondwoman and her son, for the son of this bondwoman shall not be heir with my son:" whereby could be meant nothing, but that he should not have a pretence to an equal share of his father's estate after his death, but should have his portion presently, and be gone. Accordingly we read, Gen. xxv. 5, 6, "That Abraham gave all that he had unto Isaac: but unto the sons of the concubines which Abraham had, Abraham gave gifts, and sent them away from Isaac his son, while he yet lived." That is, Abraham having given portions to all his other sons, and sent them away, that which he had reserved, being the greatest part of his substance, Isaac as heir possessed after his death: but by being heir, he had no right to be "lord over his children;" for if he had, why should Sarah endeavour to rob him of one of his subjects, or lessen the number of his slaves, by desiring to have Ishmael sent away.

§ 115. Thus, as under the law, the privilege of birthright was nothing but a double portion: so we see that before Moses, in the patriarchs' time, from whence our author pretends to take his model, there was no knowledge, no thought, that birthright gave rule or empire, paternal or kingly authority, to any one over his brethren. If this be not plain enough in the story of Isaac and Ishmael, he that will look into 1 Chron. v. 1, may there read these words: "Reuben was the first-born: but forasmuch as he defiled his father's bed, his birthright was given unto the sons of Joseph, the son of Israel: and the genealogy is not to be reckoned after the birthright; for Judah prevailed above his brethren, and of him came the chief ruler; but the birthright was Joseph's." What this birthright was, Jacob blessing Joseph, Gen. xlviii. 22, telleth us in these words, "Moreover I have given thee one portion above thy brethren, which I took out of the hand of the Amorite, with my sword and with my bow." Whereby it is not only plain that the birthright was nothing but a double portion, but

the text in Chronicles is express against our author's doctrine, and shows that dominion was no part of the birthright; for it tells us, that Joseph had the birthright, but Judah the dominion. One would think our author were very fond of the very name of birthright, when he brings this instance of Jacob and Esau, to prove that dominion belongs to the heir over his brethren.

§ 116. 1. Because it will be but an ill example to prove, that dominion by God's ordination belonged to the eldest son, because Jacob the youngest here had it, let him come by it how he would: for if it prove any thing, it can only prove, against our author, that the "assignment of dominion to the eldest is not by divine institution," which would then be unalterable: for if by the law of God, or nature, absolute power and empire belongs to the eldest son and his heirs, so that they are supreme monarchs, and all the rest of their brethren slaves, our author gives us reason to doubt whether the eldest son has a power to part with it, to the prejudice of his posterity, since he tells us, O. 158, "That in grants and gifts that have their original from God or nature, no inferior power of man can limit, or make any law of prescription against them."

§ 117. 2. Because this place, Gen. xxvii. 29, brought by our author, concerns not at all the dominion of one brother over the other, nor the subjection of Esau to Jacob: for it is plain in history, that Esau was never subject to Jacob, but lived apart in mount Seir, where he founded a distinct people and government, and was himself prince over them, as much as Jacob was in his own family. The text, if considered, can never be understood of Esau himself, or the personal dominion of Jacob over him: for the words brethren and sons of thy mother, could not be used literally by Isaac, who knew Jacob had only one brother; and these words are so far from being true in a literal sense, or establishing any dominion in Jacob over Esau, that in the story we find the quite contrary; for Gen. xxxii. Jacob several times calls Esau lord, and himself his servant; and Gen. xxxiii. "he bowed himself seven times to the ground to Esau."

Whether Esau then were a subject and vassal (nay, as our author tells us, all subjects are slaves to Jacob), and Jacob his sovereign prince by birthright, I leave the reader to judge; and to believe, if he can, that these words of Isaac, "be lord over thy brethren, and let thy mother's sons bow down to thee," confirmed Jacob in a sovereignty over Esau, upon the account of the birthright he had got from him.

§ 118. He that reads the story of Jacob and Esau, will find there never was any jurisdiction or authority, that either of them had over the other, after their father's death: they lived with the friendship and equality of brethren, neither lord, neither slave to his brother; but independent of each other, were both heads of their distinct families, where they received no laws from one another, but lived separately, and were the roots out of which sprang two distinct people under two distinct governments. This blessing then of Isaac, whereon our author would build the dominion of the elder brother, signifies no more, but what Rebecca had been told from God, Gen. xxv. 23, "Two nations are in thy womb, and two manner of people shall be separated from thy bowels; and the one people shall be stronger than the other people, and the elder shall serve the younger:" and so Jacob blessed Judah, Gen. xlix., and gave him the sceptre and dominion; from whence our author might have argued as well, that jurisdiction and dominion belongs to the third son over his brethren, as well as from this blessing of Isaac, that it belonged to Jacob: both these places contain only predictions of what should long after happen to their posterities, and not any declaration of the right of inheritance to dominion in either. And thus we have our author's two great and only arguments to prove, that "heirs are lords over their brethren."

1. Because God tells Cain, Gen. iv. that however sin might set upon him, he ought or might be master of it: for the most learned interpreters understood the words of sin, and not of Abel, and give so strong reasons for it, that nothing can convincingly be inferred from so doubtful a text to our author's purpose.

2. Because in this of Gen. xxvii. Isaac foretels that the Israelites, the posterity of Jacob, should have dominion over the Edomites, the posterity of Esau; therefore, says our author, "heirs are lords of their brethren:" I leave any one to judge of the conclusion.

§ 119. And now we see our author has provided for the descending, and conveyance down of Adam's monarchical power, or paternal dominion, to posterity, by the inheritance of his heir, succeeding to all his father's authority, and becoming upon his death as much lord as his father was, "not only over his own children, but over his brethren," and all descended from his father, and so *in infinitum*: But yet who this heir is, he does not once tell us; and all the light we have from him in this so fundamental a point, is only that in his instance of Jacob, by using the word birthright, as that which passed from Esau to Jacob, he leaves us to guess, that by heir he means the eldest son; though I do not remember he any where mentions expressly the title of the first-born, but all along keeps himself under the shelter of the indefinite term heir. But taking it to be has meaning, that the eldest son is heir (for if the eldest be not, there will be no pretence why the sons should not be all heirs alike) and so by right of primogeniture has dominion over his brethren; this is but one step towards the settlement of succession, and the difficulties remain still as much as ever, till he can show us who is meant by right heir, in all those cases which may happen where the present possessor hath no son. This he silently passes over, and perhaps wisely too: for what can be wiser, after one has affirmed, that "the person having that power, as well as the power and form of government, is the ordinance of God, and by divine institution," vid. O. 254, p. 12, than to be careful, not to start any question concerning the person, the resolution whereof will certainly lead him into a confession, that God and nature hath determined nothing about him? And if our author cannot show who by right of nature, or a clear positive law of God, has the next right to inherit the dominion of this natural monarch he has been at such pains about, when he died without

a son, he might have spared his pains in all the rest; it being more necessary for the settling men's consciences, and determining their subjection and allegiance, to show them who, by original right, superior and antecedent to the will, or any act of men, hath a title to this paternal jurisdiction, than it is to show that by nature there was such a jurisdiction; it being to no purpose for me to know there is such a paternal power, which I ought, and am disposed to obey, unless where there are many pretenders, I also know the person that is rightfully invested and endowed with it.

§ 120. For the main matter in question being concerning the duty of my obedience, and the obligation of conscience I am under to pay it to him that is of right my lord and ruler, I must know the person that this right of paternal power resides in, and so empowers him to claim obedience from me. For let it be true what he says, p. 12, "That civil power not only in general is by divine institution, but even the assignment of it specially to the eldest parents;" and O. 254, "That not only the power or right of government, but the form of the power of governing, and the person having that power, are all the ordinance of God;" yet unless he show us in all cases who is this person ordained by God, who is this eldest parent: all his abstract notions of monarchical power will signify just nothing, when they are to be reduced to practice, and men are conscientiously to pay their obedience: for paternal jurisdiction being not the thing to be obeyed, because it cannot command, but is only that which gives one man a right which another hath not, and if it come by inheritance, another man cannot have, to command and be obeyed; it is ridiculous to say, I pay obedience to the paternal power, when I obey him, to whom paternal power gives no right to my obedience: for he can have no divine right to my obedience, who cannot show his divine right to the power of ruling over me, as well as that by divine right there is such a power in the world.

§ 121. And hence not being able to make out any prince's title to government, as heir to Adam, which therefore is of no use, and had been better let alone, he is fain to resolve all into present possession, and makes civil obedience as due to an usurper as to a lawful king; and thereby the usurper's title as good. His words are, O. 253, and they deserve to be remembered: "If an usurper dispossess the true heir, the subjects' obedience to the fatherly power must go along, and wait upon God's providence." But I shall leave his title of usurpers to be examined in its due place, and desire my sober reader to consider what thanks princes owe such politics as this, which can suppose paternal power, *i. e.* a right to government in the hands of a Cade or a Cromwell; and so all obedience being due to paternal power, the obedience of subjects will be due to them, by the same right, and upon as good grounds, as it is to lawful princes; and yet this, as dangerous a doctrine as it is, must necessarily follow from making all political power to be nothing else but Adam's paternal power by right and divine institution, descending from him without being able to show to whom it descended, or who is heir to it.

§ 122. To settle government in the world, and to lay obligations to obedience on any man's conscience, it is as necessary (supposing with our author that all power be nothing but the being possessed of Adam's fatherhood) to satisfy him, who has a right to this power, this fatherhood, when the possessor dies, without sons to succeed immediately to it; as it was to tell him, that upon the death of the father, the eldest son had a right to it: for it is still to be remembered, that the great question is, (and that which our author would be thought to contend for, if he did not sometimes forget it) what persons have a right to be obeyed, and not whether there be a power in the world, which is to be called paternal, without knowing in whom it resides: for so it be a power, *i. e.* right to govern, it matters not, whether it be termed paternal or regal, natural or acquired; whether you call it supreme fatherhood, or su-

preme brotherhood, will be all one, provided we know who has it.

§ 123. I go on then to ask, whether in the inheriting of this paternal power, this supreme fatherhood, the grandson by a daughter hath a right before a nephew by a brother? Whether the grandson by the eldest son, being an infant, before the younger son, a man and able? Whether the daughter before the uncle? or any other man, descended by a male line? Whether a grandson, by a younger daughter, before a grand-daughter by an elder daughter? Whether the elder son by a concubine, before a younger son by a wife? From whence also will arise many questions of legitimation, and what in nature is the difference betwixt a wife and a concubine? For as to the municipal or positive laws of men, they can signify nothing here. It may farther be asked, Whether the eldest son, being a fool, shall inherit this paternal power, before the younger, a wise man? and what degree of folly it must be that shall exclude him? and who shall be judge of it? Whether the son of a fool, excluded for his folly, before the son of his wise brother who reigned? Who has the paternal power whilst the widow-queen is with child by the deceased king, and nobody knows whether it will be a son or a daughter? Which shall be heir of the two male twins, who by the dissection of the mother were laid open to the world? Whether a sister by the half-blood, before a brother's daughter by the whole blood?

§ 124. These, and many more such doubts, might be proposed about the titles of succession, and the right of inheritance; and that not as idle speculations, but such as in history we shall find have concerned the inheritance of crowns and kingdoms; and if our's want them, we need not go farther for famous examples of it than the other kingdom in this very island, which having been fully related by the ingenious and learned author of Patriarcha non Monarcha, I need say no more of. Till our author hath resolved all the doubts that may arise about the next heir, and showed that they are plainly determined by the law of nature, or the revealed

law of God, all his suppositions of a monarchical, absolute, supreme, paternal power in Adam, and the descent of that power to his heirs, would not be of the least use to establish the authority, or make out the title of any one prince now on earth; but would rather unsettle and bring all into question: for let our author tell us as long as he pleases, and let all men believe it too, that Adam had a paternal, and thereby a monarchical power; that this (the only power in the world) descended to his heirs; and that there is no other power in the world but this: let this be all as clear demonstration, as it is manifest error; yet if it be not past doubt to whom this paternal power descends, and whose now it is, nobody can be under any obligation of obedience: unless any one will say that I am bound to pay obedience to paternal power in a man who has no more paternal power than I myself; which is all one as to say, I obey a man, because he has a right to govern; and if I be asked how I know he has a right to govern, I should answer it cannot be known that he has any at all: for that cannot be the reason of my obedience, which I know not to be so; much less can that be a reason of my obedience, which nobody at all can know to be so.

§ 125. And therefore all this ado about Adam's fatherhood, the greatness of its power, and the necessity of its supposal, helps nothing to establish the power of those that govern, or to determine the obedience of subjects who are to obey, if they cannot tell whom they are to obey, or it cannot be known who are to govern, and who to obey. In the state the world is now, it is irrecoverably ignorant who is Adam's heir. This fatherhood, this monarchical power of Adam, descending to his heirs, would be of no more use to the government of mankind, than it would be to the quieting of men's consciences, or securing their healths, if our author had assured them that Adam had a power to forgive sins, or cure diseases, which by divine institution descended to his heir, whilst this heir is impossible to be known. And should not he do as rationally, who upon

this assurance of our author went and confessed his sins, and expected a good absolution; or took physic with expectation of health, from any one who had taken on himself the name of priest or physician, or thrust himself into those employments, saying, I acquiesce in the absolving power descending from Adam, or I shall be cured by the medicinal power descending from Adam; as he who says, I submit to and obey the paternal power descending from Adam, when it is confessed all these powers descend only to his single heir, and that heir is unknown?

§ 126. It is true the civil lawyers have pretended to determine some of these cases concerning the succession of princes; but by our author's principles they have meddled in a matter that belongs not to them: for if all political power be derived only from Adam, and be to descend only to his successive heirs, by the ordinance of God and divine institution, this is a right antecedent and paramount to all government; and therefore the positive laws of men cannot determine that which is itself the foundation of all law and government, and is to receive its rule only from the law of God and nature. And that being silent in the case, I am apt to think there is no such right to be conveyed this way: I am sure it would be to no purpose if there were, and men would be more at a loss concerning government, and obedience to governors, than if there were no such right; since by positive laws and compact, which divine institution (if there be any) shuts out, all these endless inextricable doubts can be safely provided against: but it can never be understood how a divine natural right, and that of such moment as is all order and peace in the world, should be conveyed down to posterity, without any plain natural or divine rule concerning it. And there would be an end of all civil government, if the assignment of civil power were by divine institution to the heir, and yet by that divine institution the person of the heir could not be known. This paternal regal power being by divine right only his, it leaves no room for human prudence, or consent, to place it any where else; for if only one man hath a divine right to the obedience

of mankind, nobody can claim that obedience but he that can show that right; nor can men's consciences by any other pretence be obliged to it. And thus this doctrine cuts up all government by the roots.

§ 127. Thus we see how our author, laying it for a sure foundation, that the very person that is to rule is the ordinance of God, and by divine institution; tells us at large only that this person is the heir, but who this heir is he leaves us to guess; and so this divine institution, which assigns it to a person whom we have no rule to know, is just as good as an assignment to nobody at all. But whatever our author does, divine institution makes no such ridiculous assignments: nor can God be supposed to make it a sacred law, that one certain person should have a right to something, and yet not give rules to mark out, and know that person by: or give an heir a divine right to power, and yet not point out who that heir is. It is rather to be thought that an heir had no such right by divine institution, than that God should give such a right to the heir, but yet leave it doubtful and undeterminable who such heir is.

§ 128. If God had given the land of Canaan to Abraham, and in general terms to somebody after him, without naming his seed, whereby it might be known who that somebody was; it would have been as good and useful an assignment to determine the right to the land of Canaan, as it would be the determining the right of crowns, to give empire to Adam and his successive heirs after him, without telling who his heir is: for the word heir, without a rule to know who it is, signifies no more than somebody, I know not whom. God making it a divine institution that men should not marry those who were of near kin, thinks it not enough to say, "none of you shall approach to any that is near of kin to him, to uncover their nakedness;" but moreover gives rules to know who are those near of kin, forbidden by divine institution; or else that law would have been of no use; it being to no purpose to lay restraint or give privileges to men, in such general terms, as the particular person concerned cannot be known by. But God not having any where said the next heir shall in-

herit all his father's estate or dominion, we are not to wonder that he hath nowhere appointed who that heir should be; for never having intended any such thing, never designed any heir in that sense, we cannot expect he should any where nominate or appoint any person to it, as we might, had it been otherwise. And therefore in Scripture, though the word heir occur, yet there is no such thing as heir in our author's sense, one that was by right of nature to inherit all that his father had, exclusive of his brethren. Hence Sarah supposes that if Ishmael staid in the house to share in Abraham's estate after his death, this son of a bond-woman might be heir with Isaac; and therefore, says she, "cast out this bond-woman and her son, for the son of this bond-woman shall not be heir with my son:" but this cannot excuse our author, who telling us there is, in every number of men, one who is right and next heir to Adam, ought to have told us what the laws of descent are: but he having been so sparing to instruct us by rules how to know who is heir; let us see in the next place what his history out of Scripture, on which he pretends wholly to build his government, gives us in this necessary and fundamental point.

§ 129. Our author, to make good the title of his book, p. 13, begins his history of the descent of Adam's regal power, p. 13, in these words: "This lordship which Adam by command had over the whole world, and by right descending from him, the patriarchs did enjoy, was a large," &c. How does he prove that the patriarchs by descent did enjoy it? for "dominion of life and death, says he, we find Judah the father pronounced sentence of death against Thamar his daughter-in-law for playing the harlot," p. 13. How does this prove that Judah had absolute and sovereign authority? "he pronounced sentence of death." The pronouncing of sentence of death is not a certain mark of sovereignty, but usually the office of inferior magistrates. The power of making laws of life and death is indeed a mark of sovereignty, but pronouncing the sentence according to those laws may be done by others,

and therefore this will but ill prove that he had sovereign authority: as if one should say, judge Jefferies pronounced sentence of death in the late times, therefore judge Jefferies had sovereign authority. But it will be said Judah did it not by commission from another, and therefore did it in his own right. Who knows whether he had any right at all? Heat of passion might carry him to do that which he had no authority to do. "Judah had dominion of life and death:" how does that appear? He exercised it, he "pronounced sentence of death against Thamar." Our author thinks it is very good proof that because he did it, therefore he had a right to do it. He lay with her also; by the same way of proof he had a right to do that too. If the consequence be good from doing, to a right of doing, Absalom too may be reckoned amongst our author's sovereigns; for he pronounced such a sentence of death against his brother Amnon, and much upon a like occasion, and had it executed too, if that be sufficient to prove a dominion of life and death.

But allowing this all to be clear demonstration of sovereign power, who was it that had this "lordship by right descending to him from Adam, as large and ample as the absolutest dominion of any monarch?" Judah, says our author, Judah, a younger son of Jacob, his father and elder brethren living; so that if our author's own proof be to be taken, a younger brother may, in the life of his father and elder brothers, "by right of descent, enjoy Adam's monarchical power;" and if one so qualified may be a monarch by descent, why may not every man? If Judah, his father and elder brethren living, were one of Adam's heirs, I know not who can be excluded from this inheritance; all men by inheritance may be monarchs as well as Judah.

§ 130. "Touching war, we see that Abraham commanded an army of 318 soldiers of his own family, and Esau met his brother Jacob with 400 men at arms: for matter of peace, Abraham made a league with Abimelech," &c. p. 13. Is it not possible for a man to have 318 men in his family without being heir

to Adam? A planter in the West Indies has more, and might, if he pleased (who doubts?) muster them up and lead them out against the Indians to seek reparation upon any injury received from them; and all this without the "absolute dominion of a monarch, descending to him from Adam." Would it not be an admirable argument to prove, that all power by God's institution descended from Adam by inheritance, and that the very person and power of this planter were the ordinance of God, because he had power in his family over servants born in his house, and bought with his money? For this was just Abraham's case; those who were rich in the patriarch's days, as in the West Indies now, bought men and maid-servants, and by their increase, as well as purchasing of new, came to have large and numerous families, which though they made use of in war or peace, can it be thought the power they had over them was an inheritance descended from Adam, when it was the purchase of their money? A man's riding, in an expedition against an enemy, his horse bought in a fair, would be as good a proof that the owner enjoyed the lordship which Adam by command had over the whole world, by right descending to him," as Abraham's leading out the servants of his family is, that the patriarchs enjoyed this lordship by descent from Adam: since the title to the power the master had in both cases, whether over slaves or horses, was only from his purchase; and the getting a dominion over any thing by bargain and money, is a new way of proving one had it by descent and inheritance.

§ 131. "But making war and peace are marks of sovereignty." Let it be so in politic societies: may not therefore a man in the West Indies, who hath with him sons of his own, friends or companions, soldiers under pay, or slaves bought with money, or perhaps a band made up of all these, make war and peace, if there should be occasion, and "ratify the articles too with an oath, without being a sovereign, an absolute king over those who went with him? He that says he cannot, must then allow many masters of ships, many

private planters, to be absolute monarchs, for as much as this they have done. War and peace cannot be made for politic societies, but by the supreme power of such societies: because war and peace giving a different motion to the force of such a politic body, none can make war or peace but that which has the direction of the force of the whole body, and that in politic societies is only the supreme power. In voluntary societies for the time, he that has such a power by consent may make war and peace, and so may a single man for himself, the state of war not consisting in the number of partisans, but the enmity of the parties, where they have no superior to appeal to.

§ 132. The actual making of war or peace is no proof of any other power, but only of disposing those to exercise or cease acts of enmity for whom he makes it; and this power in many cases any one may have without any politic supremacy: and therefore the making of war or peace will not prove that every one that does so is a politic ruler, much less a king; for then commonwealths must be kings too, for they do as certainly make war and peace as monarchical government.

§ 133. But granting this a "mark of sovereignty in Abraham." is it a proof of the descent to him of Adam's sovereignty over the whole world? If it be, it will surely be as good a proof of the descent of Adam's lordship to others too. And then commonwealths, as well as Abraham, will be heirs of Adam, for they make war and peace as well as he. If you say that the "lordship of Adam" doth not by right descend to commonwealths, though they make war and peace, the same say I of Abraham, and then there is an end of your argument: if you stand to your argument, and say those that do make war and peace, as commonwealths do without doubt, "do inherit Adam's lordship," there is an end of your monarchy, unless you will say that commonwealths "by descent enjoying Adam's lordship" are monarchies; and that indeed would be a new way of making all the governments in the world monarchical.

§ 134. To give our author the honour of this new invention, for I confess it is not I have first found it out by tracing his principles, and so charged it on him, it is fit my readers know that (as absurd as it may seem) he teaches it himself, p. 23, where he ingenuously says, "In all kingdoms and commonwealths in the world, whether the prince be the supreme father of the people, or but the true heir to such a father, or come to the crown by usurpation or election, or whether some few or a multitude govern the commonwealth; yet still the authority that is in any one, or in many, or in all these, is the only right and natural authority of a supreme father;" which right of fatherhood, he often tells us, is "regal and royal authority;" as particularly p. 12, the page immediately preceding this instance of Abraham. This regal authority, he says, those that govern commonwealths have; and if it be true, that regal and royal authority be in those that govern commonwealths, it is as true that commonwealths are governed by kings; for if regal authority be in him that governs, he that governs must needs be a king, and so all commonwealths are nothing but downright monarchies; and then what need any more ado about the matter? The governments of the world are as they should be, there is nothing but monarchy in it. This, without doubt, was the surest way our author could have found to turn all other governments, but monarchical, out of the world.

§ 135. But all this scarce proves Abraham to have been a king as heir to Adam. If by inheritance he had been king, Lot, who was of the same family, must needs have been his subject by that title, before the servants in his family; but we see they lived as friends and equals, and when their herdsmen could not agree, there was no pretence of jurisdiction or superiority between them, but they parted by consent, Gen. xiii. hence he is called, both by Abraham and by the text, Abraham's brother, the name of friendship and equality, and not of jurisdiction and authority, though he were really but his nephew. And if our author knows that Abraham

was Adam's heir, and a king, it was more, it seems, than Abraham himself knew, or his servant whom he sent a wooing for his son; for when he sets out the advantages of the match, Gen. xxiv. 35, thereby to prevail with the young woman and her friends, he says, "I am Abraham's servant, and the Lord hath blessed my master greatly, and he is become great; and he hath given him flocks and herds, and silver and gold, and men-servants and maid-servants, and camels and asses; and Sarah, my master's wife, bare a son to my master when she was old, and unto him hath he given all he hath." Can one think that a discreet servant, that was thus particular to set out his master's greatness, would have omitted the crown Isaac was to have, if he had known of any such? Can it be imagined he should have neglected to have told them, on such an occasion as this, that Abraham was a king, a name well known at that time, for he had nine of them his neighbours, if he or his master had thought any such thing, the likeliest matter of all the rest, to make his errand successful?

§ 136. But this discovery it seems was reserved for our author to make two or 3000 years after, and let him enjoy the credit of it; only he should have taken care that some of Adam's land should have descended to this his heir, as well as all Adam's lordship: for though this lordship which Abraham, (if we may believe our author) as well as the other patriarchs, "by right descending to him, did enjoy, was as large and ample as the absolutest dominion of any monarch which hath been since the creation;" yet his estate, his territories, his dominions, were very narrow and scanty; for he had not the possession of a foot of land, till he bought a field and a cave of the sons of Heth to bury Sarah in.

§ 137. The instance of Esau joined with this of Abraham, to prove that the "lordship which Adam had over the whole world, by right descending from him, the patriarchs did enjoy," is yet more pleasant than the former. "Esau met his brother Jacob with 400

men at arms;" he therefore was a king by right of heir to Adam. Four hundred armed men then, however got together, are enough to prove him that leads them to be a king, and Adam's heir. There have been Tories in Ireland, (whatever there are in other countries) who would have thanked our author for so honourable an opinion of them, especially if there had been nobody near with a better title of 500 armed men, to question their royal authority of 400. It is a shame for men to trifle so, to say no worse of it, in so serious an argument. Here Esau is brought as a proof that Adam's lordship, "Adam's absolute dominion, as large as that of any monarch, descended by right to the patriarchs;" and in this very chap. p. 19, Jacob is brought as an instance of one, that by "birthright was lord over his brethren." So we have here two brothers absolute monarchs by the same title, and at the same time heirs to Adam; the eldest, heir to Adam, because he met his brother with 400 men; and the youngest heir to Adam by birth right: "Esau enjoyed the lordship which Adam had over the whole world by right descending to him, in as large and ample manner as the absolutest dominion of any monarch; and at the same time, Jacob lord over him, by the right heirs have to be lords over their brethren." *Risum teneatis?* I never, I confess, met with any man of parts so dexterous as sir Robert at this way of arguing: but it was his misfortune to light upon an hypothesis that could not be accommodated to the nature of things, and human affairs; his principles could not be made to agree with that constitution and order which God had settled in the world, and therefore must needs often clash with common sense and experience.

§ 138. In the next section, he tells us, "This patriarchal power continued not only till the flood, but after it, as the name patriarch doth in part prove." The word patriarch doth more than in part prove, that patriarchal power continued in the world as long as there were patriarchs; for it is necessary that patriarchal power should be whilst there are patriarchs, as it is necessary there should be paternal or conjugal

power whilst there are fathers or husbands; but this is but playing with names. That which he would fallaciously insinuate is the thing in question to be proved, viz. that the "lordship which Adam had over the world, the supposed absolute universal dominion of Adam by right descending from him, the patriarchs did enjoy." If he affirms such an absolute monarchy continued to the flood in the world, I would be glad to know what records he has it from; for I confess I cannot find a word of it in my Bible: if by patriarchal power he means any thing else, it is nothing to the matter in hand. And how the name patriarch in some part proves, that those who are called by that name had absolute monarchical power, I confess I do not see, and therefore I think needs no answer till the argument from it be made out a little clearer.

§ 139. "The three sons of Noah had the world," says our author, "divided amongst them by their father, for of them was the whole world overspread," p. 14. The world might be overspread by the offspring of Noah's sons, though he never divided the world amongst them; for the earth might be replenished without being divided: so that all our author's argument here proves no such division. However, I allow it to him, and then ask, the world being divided amongst them, which of the three was Adam's heir? If Adam's lordship, Adam's monarchy, by right descended only to the eldest, then the other two could be but his subjects, his slaves: if by right it descended to all three brothers, by the same right it will descend to all mankind; and then it will be impossible what he says, p. 19, that "heirs are lords of their brethren," should be true; but all brothers, and consequently all men, will be equal and independent, all heirs to Adam's monarchy, and consequently all monarchs too, one as much as another. But it will be said, Noah their father divided the world amongst them; so that our author will allow more to Noah than he will to God Almighty, for O. 211, he thought it hard, that God himself should give the world to Noah and his sons, to the prejudice of Noah's birthright. His words are, "Noah was left sole heir to the

world: why should it be thought that God would disinherit him of his birthright, and make him, of all men in the world, the only tenant in common with his children?" and yet he here thinks it fit that Noah should disinherit Shem of his birthright, and divide the world betwixt him and his brethren; so that his birthright, when our author pleases, must, and when he pleases, must not, be sacred and inviolable.

§ 140. If Noah did divide the world between his sons, and his assignment of dominions to them were good, there is an end of divine institution; all our author's discourse of Adam's heir, with whatsoever he builds on it, is quite out of doors; the natural power of kings falls to the ground; and then "the form of the power governing, and the person having that power, will not be (as he says they are, O. 254), the ordinance of God, but they will be ordinances of man:" for if the right of the heir be the ordinance of God, a divine right; no man, father or not father, can alter it: if it be not a divine right, it is only human, depending on the will of man: and so where human institution gives it not, the first-born has no right at all above his brethren; and men may put government into what hands, and under what form they please.

§ 141. He goes on, "most of the civilest nations of the earth labour to fetch their original from some of the sons or nephews of Noah," p. 14. How many do most of the civilest nations amount to? and who are they? I fear the Chinese, a very great and civil people, as well as several other people of the East, West, North, and South, trouble not themselves much about this matter. All that believe the Bible, which I believe are our author's "most of the civilest nations," must necessarily derive themselves from Noah; but for the rest of the world, they think little of his sons or nephews. But if the heralds and antiquaries of all nations, for it is these men generally that labour to find out the originals of nations, or all the nations themselves, "should labour to fetch their original from some of the sons or nephews of Noah," what would this be to prove,

that the "lordship which Adam had over the whole world, by a right descended to the patriarchs?" Whoever, nations, or races of men, "labour to fetch their original from," may be concluded to be thought by them men of renown, famous to posterity for the greatness of their virtues and actions; but beyond these they look not, nor consider who they were heirs to, but look on them as such as raised themselves by their own virtue to a degree that would give lustre to those who in future ages could pretend to derive themselves from them. But if it were Ogyges, Hercules, Brama, Tamerlain, Pharamond; nay, if Jupiter and Saturn were the names, from whence divers races of men, both ancient and modern, have laboured to derive their original; will that prove, that those men "enjoyed the "lordship of Adam by right descending to them?" If not, this is but a flourish of our author's to mislead his reader, that in itself signifies nothing.

§ 142. To as much purpose is what he tells us, p. 15, concerning this division of the world, "That some say it was by lot, and others that Noah sailed round the Mediterranean in ten years, and divided the world into Asia, Afric, and Europe, portions for his three sons." America then, it seems, was left to be his that could catch it. Why our author takes such pains to prove the division of the world by Noah to his sons, and will not leave out an imagination, though no better than a dream, that he can find any where to favour it, is hard to guess, since such a division, if it prove any thing, must necessarily take away the title of Adam's heir; unless three brothers can all together be heirs of Adam: and therefore the following words, "howsoever the manner of this division be uncertain, yet it is most certain the division was by families from Noah and his children, over which the parents were heads and princes," p. 15, if allowed him to be true, and of any force to prove, that all the power in the world is nothing but the lordship of Adam's descending by right, they will only prove, that the fathers of the children are all heirs to this lordship of Adam: for if in those days Cham and Japhet, and other parents, besides

the eldest son, were heads and princes over their families, and had a right to divide the earth by families, what hinders younger brothers, being fathers of families, from having the same right? If Cham and Japhet were princes by right descending to them, notwithstanding any title of heir in their eldest brother, younger brothers by the same right descending to them are princes now; and so all our author's natural power of kings will reach no farther than their own children; and no kingdom, by this natural right, can be bigger than a family: for either this lordship of Adam over the whole world, by right descends only to the eldest son, and then there can be but one heir, as our author says, p. 19; or else it by right descends to all the sons equally, and then every father of a family will have it, as well as the three sons of Noah: take which you will, it destroys the present governments and kingdoms, that are now in the world; since whoever has this natural power of a king, by right descending to him, must have it, either as our author tells us Cain had it, and be lord over his brethren, and so be alone king of the whole world; or else, as he tells us here, Shem, Cham, and Japhet had it, three brothers, and so be only prince of his own family, and all families independent one of another: all the world must be only one empire by the right of the next heir, or else every family be a distinct government of itself, by the "lordship of Adam's descending to parents of families." And to this only tend all the proofs he here gives us of the descent of Adam's lordship: for continuing his story of this descent, he says,

§ 143. "In the dispersion of Babel, we must certainly find the establishment of royal power, throughout the kingdoms of the world," p. 14. If you must find it, pray do, and you will help us to a new piece of history: but you must show it us before we shall be bound to believe, that regal power was established in the world upon your principles: for, that regal power was established "in the kingdoms of the world," I think nobody will dispute; but that there should be

kingdoms in the world, whose several kings enjoyed their crowns, "by right descending to them from "Adam," that we think not only apocryphal, but also utterly impossible. If our author has no better foundation for his monarchy than a supposition of what was done at the dispersion of Babel, the monarchy he erects thereon, whose top is to reach to heaven to unite mankind, will serve only to divide and scatter them as that tower did; and, instead of establishing civil government and order in the world, will produce nothing but confusion.

§ 144. For he tells us, the nations they were divided into "were distinct families, which had fathers for rulers over them; whereby it appears, that even in the confusion, God was careful to preserve the fatherly authority, by distributing the diversity of languages according to the diversity of families," p. 14. It would have been a hard matter for any one but our author to have found out so plainly, in the text he here brings, that all the nations in that dispersion were governed by fathers, and that "God was careful to preserve the fatherly authority." The words of the text are, "These are the sons of Shem after their families, after their tongues in their lands, after their nations;" and the same thing is said of Cham and Japhet, after an enumeration of their posterities: in all which there is not one word said of their governors, or forms of government; of fathers, or fatherly authority. But our author, who is very quick-sighted to spy out fatherhood, where nobody else could see any the least glimpses of it, tells us positively their "rulers were fathers, and God was careful to preserve the fatherly authority;" and why? Because those of the same family spoke the same language, and so of necessity in the division kept together. Just as if one should argue thus: Hannibal in his army, consisting of divers nations, kept those of the same language together; therefore fathers were captains of each band, and Hannibal was careful of the fatherly authority: or in peopling of Carolina, the English, French, Scotch, and Welsh, that are there plant

themselves together, and by them the country is divided "in their lands after their tongues, after their families, after their nations;" therefore care was taken of the fatherly authority: or because, in many parts of America, every little tribe was a distinct people, with a different language, one should infer that therefore "God was careful to preserve the fatherly authority," or that therefore their rulers "enjoyed Adam's lordship by right descending to them," though we know not who were their governors, nor what their form of government: but only that they were divided into little independent societies, speaking different languages.

§ 145. The Scripture says not a word of their rulers or forms of government, but only gives an account how mankind came to be divided into distinct languages and nations; and therefore it is not to argue from the authority of Scripture, to tell us positively fathers were their rulers, when the Scripture says no such thing; but to set up fancies in one's own brain, when we confidently aver matter of fact, where records are utterly silent. Upon a like ground, *i. e.* none at all, he says, "That they were not confused multitudes without heads and governors, and at liberty to choose what governors or governments they pleased."

§ 146. For I demand, when mankind were all yet of one language, all congregated in the plain of Shinar, were they then all under one monarch, "who enjoyed the lordship of Adam by right descending to him?" If they were not, there were then no thoughts, it is plain, of Adam's heir, no right to government known then upon that title; no care taken, by God or man, of Adam's fatherly authority. If when mankind were but one people, dwelt altogether, and were of one language, and were upon building a city together; and when it is plain they could not but know the right heir; for Shem lived till Isaac's time, a long while after the division at Babel; if then, I say, they were not under the monarchical government of Adam's fatherhood, by right descending to the heir, it is plain there was no regard had to the fatherhood, no monarchy acknowledged

due to Adam's heir, no empire of Shem's in Asia, and consequently no such division of the world by Noah, as our author has talked of. As far as we can conclude any thing from Scripture in this matter, it seems from this place, that if they had any government, it was rather a commonwealth than an absolute monarchy: for the Scripture tells us, Gen. xi. "They said:" it was not a prince commanded the building of this city and tower, it was not by the command of one monarch, but by the consultation of many, a free people; "let us build us a city:" they built it for themselves as free men, not as slaves for their lord and master: "that we be not scattered abroad;" having a city once built, and fixed habitations to settle our abodes and families. This was the consultation and design of a people, that were at liberty to part asunder, but desired to keep in one body; and could not have been either necessary or likely in men tied together under the government of one monarch, who if they had been, as our author tells us, all slaves under the absolute dominion of a monarch, needed not have taken such care to hinder themselves from wandering out of the reach of his dominion. I demand whether this be not plainer in Scripture than any thing of Adam's heir or fatherly authority?

§ 147. But if being, as God says, Gen. xi. 6, one people, they had one ruler, one king by natural right, absolute and supreme over them, "what care had God to preserve the paternal authority of the supreme fatherhood," if on a sudden he suffer 72 (for so many our author talks of) distinct nations to be erected out of it, under distinct governors, and at once to withdraw themselves from the obedience of their sovereign? This is to intitle God's care how, and to what we please. Can it be sense to say, that God was careful to preserve the fatherly authority in those who had it not? For if these were subjects under a supreme prince, what authority had they? Was it an instance of God's care to preserve the fatherly authority, when he took away the true supreme fatherhood of the natural monarch? Can it be reason to say, that God, for the preservation of

fatherly authority, lets several new governments with their governors start up, who could not all have fatherly authority? And is it not as much reason to say, that God is careful to destroy fatherly authority, when he suffers one, who is in possession of it, to have his government torn in pieces, and shared by several of his subjects? Would it not be an argument just like this, for monarchical government to say, when any monarchy was shattered to pieces, and divided amongst revolted subjects, that God was careful to preserve monarchical power, by rending a settled empire into a multitude of little governments? If any one will say, that what happens in providence to be preserved, God is careful to preserve as a thing therefore to be esteemed by men as necessary or useful; it is a peculiar propriety of speech, which every one will not think fit to imitate: but this I am sure is impossible to be either proper or true speaking, that Shem, for example (for he was then alive), should have fatherly authority, or sovereignty by right of fatherhood, over that one people at Babel, and that the next moment, Shem yet living, 72 others should have fatherly authority, or sovereignty by right of fatherhood, over the same people, divided into so many distinct governments: either these 72 fathers actually were rulers, just before the confusion, and then they were not one people, but that God himself says they were; or else they were a commonwealth, and then where was monarchy? or else these 72 fathers had fatherly authority, but knew it not. Strange! that fatherly authority should be the only original of government amongst men, and yet all mankind not know it; and stranger yet, that the confusion of tongues should reveal it to them all of a sudden, that in an instant these 72 should know that they had fatherly power, and all others know that they were to obey it in them, and every one know that particular fatherly authority to which he was a subject. He that can think this arguing from Scripture, may from thence make out what model of an Utopia will best suit with his fancy or interest; and this fatherhood, thus disposed of, will justify both a prince who claims an universal monarchy,

and his subjects, who, being fathers of families, shall quit all subjection to him, and canton his empire into less governments for themselves: for it will always remain a doubt in which of these the fatherly authority resided, till our author resolves us, whether Shem, who was then alive, or these 72 new princes, beginning so many new empires in his dominions, and over his subjects, had right to govern; since our author tells us, that both one and the other had fatherly, which is supreme authority, and are brought in by him as instances of those who did "enjoy the lordships of Adam by right descending to them, which was as large and ample as the absolutest dominion of any monarch." This at least is unavoidable, that if "God was careful to preserve the fatherly authority, in the 72 new-erected nations," it necessarily follows, that he was as careful to destroy all pretences of Adam's heir; since he took care, and therefore did preserve the fatherly authority in so many, at least 71, that could not possibly be Adam's heirs, when the right heir (if God had ever ordained any such inheritance) could not but be known; Shem then living, and they being all one people.

§ 148. Nimrod is his next instance of enjoying this patriarchal power, p. 16, but I know not for what reason our author seems a little unkind to him, and says, that he "against right enlarged his empire, by seizing violently on the rights of other lords of families." These lords of families here were called fathers of families, in his account of the dispersion at Babel: but it matters not how they were called, so we know who they are; for this fatherly authority must be in them, either as heirs to Adam, and so there could not be 72, nor above one at once; or else as natural parents over their children, and so every father will have paternal authority over his children by the same right, and in as large extent as those 72 had, and so be independent princes over their own offspring. Taking his lords of families in this latter sense (as it is hard to give those words any other sense in this place), he gives us a very pretty account of the original of monarchy, in these following words, p. 16. "And in this sense he may be

said to be the author and founder of monarchy," viz. As against right seizing violently on the rights of fathers over their children; which paternal authority, if it be in them, by right of nature (for else how could those 72 come by it?) nobody can take from them without their own consents; and then I desire our author and his friends to consider, how far this will concern other princes, and whether it will not, according to his conclusion of that paragraph, resolve all regal power of those, whose dominions extend beyond their families, either into tyranny and usurpation, or election and consent of fathers of families, which will differ very little from consent of the people.

§ 149. All his instances, in the next section, p. 17, of the 12 dukes of Edom, the nine kings in a little corner of Asia in Abraham's days, the 31 kings in Canaan destroyed by Joshua, and the care he takes to prove that these were all sovereign princes, and that every town in those days had a king, are so many direct proofs against him, that it was not the lordship of Adam by right descending to them, that made kings: for if they had held their royalties by that title, either there must have been but one sovereign over them all, or else every father of a family had been as good a prince, and had as good a claim to royalty, as these: for if all the sons of Esau had each of them, the younger as well as the eldest, the right of fatherhood, and so were sovereign princes after their father's death; the same right had their sons after them, and so on to all posterity; which will limit all the natural power of fatherhood, only to be over the issue of their own bodies, and their descendents; which power of fatherhood dies with the head of each family, and makes way for the like power of fatherhood to take place in each of his sons over their respective posterities: whereby the power of fatherhood will be preserved indeed, and is intelligible, but will not be at all to our author's purpose. None of the instances he brings are proofs of any power they had, as heirs of Adam's paternal authority, by the title of his fatherhood descending to them; no, nor of any power they had by virtue of their own: for Adam's fatherhood

being over all mankind, it could descend to but one at once, and from him to his right heir only, and so there could by that title be but one king in the world at a time: and by right of fatherhood, not descending from Adam, it must be only as they themselves were fathers, and so could be over none but their own posterity. So that if those 12 dukes of Edom; if Abraham and the nine kings his neighbours; if Jacob and Esau, and the 31 kings in Canaan, the 72 kings mutilated by Adonibeseck, the 32 kings that came to Benhadad, the 70 kings of Greece making war at Troy; were, as our author contends, all of them sovereign princes; it is evident that kings derived their power from some other original than fatherhood, since some of these had power over more than their own posterity; and it is demonstration, they could not be all heirs to Adam: for I challenge any man to make any pretence to power by right of fatherhood either intelligible or possible in any one, otherwise, than either as Adam's heir, or as progenitor over his own descendents, naturally sprung from him. And if our author could show that any one of these princes, of which he gives us here so large a catalogue, had his authority by either of these titles, I think I might yield him the cause; though it is manifest they are all impertinent, and directly contrary to what he brings them to prove, viz. "That the lordship which Adam had over the world by right descended to the patriarchs."

§ 150. Having told us, p. 16, That "the patriarchal government continued in Abraham, Isaac, and Jacob, until the Egyptian bondage," p. 17, he tells us, "by manifest footsteps we may trace this paternal government unto the Israelites coming into Egypt, where the exercise of the supreme patriarchal government was intermitted, because they were in subjection to a stronger prince." What these footsteps are of paternal government, in our author's sense, *i. e.* of absolute monarchical power descending from Adam, and exercised by right of fatherhood, we have seen; that is, for 2290 years no footsteps at all; since in all that time he cannot produce any one example of any person who

claimed or exercised regal authority by right of fatherhood; or show any one who being a king was Adam's heir: all that his proofs amount to is only this, that there were fathers, patriarchs, and kings, in that age of the world; but that the fathers and patriarchs had any absolute arbitrary power, or by what titles those kings had theirs, and of what extent it was, the Scripture is wholly silent; it is manifest by right of fatherhood they neither did, nor could claim any title to dominion or empire.

§ 151. To say, "That the exercise of supreme patriarchal government was intermitted, because they were in subjection to a stronger prince," proves nothing but what I before suspected, viz. "That patriarchal jurisdiction or government" is a fallacious expression, and does not in our author signify (what he would yet insinuate by it) paternal and regal power, such an absolute sovereignty as he supposes was in Adam.

§ 152. For how can he say that patriarchal jurisdiction was intermitted in Egypt, where there was a king, under whose regal government the Israelites were, if patriarchal were absolute monarchical jurisdiction? And if it were not, but something else, why does he make such ado about a power not in question, and nothing to the purpose? The exercise of patriarchal jurisdiction, if patriarchal be regal, was not intermitted whilst the Israelites were in Egypt. It is true, the exercise of regal power was not then in the hands of any of the promised seeds of Abraham, nor before neither that I know: but what is that to the intermission of regal authority, as descending from Adam; unless our author will have it, that this chosen line of Abraham had the right of inheritance to Adam's lordship? and then to what purpose are his instances of the 72 rulers, in whom the fatherly authority was preserved in the confusion at Babel? Why does he bring the 12 princes sons of Ishmael, and the dukes of Edom, and join them with Abraham, Isaac, and Jacob, as examples of the exercise of true patriarchal government, if the exercise of patriarchal jurisdiction were intermitted in the world,

whenever the heirs of Jacob had not supreme power? I fear, supreme patriarchal jurisdiction was not only intermitted, but from the time of the Egyptian bondage quite lost in the world; since it will be hard to find, from that time downwards, any one who exercised it as an inheritance descending to him from the patriarchs, Abraham, Isaac, and Jacob. I imagined monarchical government would have served his turn in the hands of Pharaoh, or any body. But one cannot easily discover in all places what his discourse tends to, as, particularly in this place, it is not obvious to guess what he drives at, when he says, "the exercise of supreme patriarchal jurisdiction in Egypt," or how this serves to make out the descent of Adam's lordship to the patriarchs, or any body else.

§ 153. For I thought he had been giving us out of Scripture proofs and examples of monarchical government, founded on paternal authority, descending from Adam; and not an history of the Jews: amongst whom yet we find no kings, till many years after they were a people: and when kings were their rulers, there is not the least mention or room for a pretence that they were heirs to Adam, or kings by paternal authority. I expected, talking so much as he does of Scripture, that he would have produced thence a series of monarchs, whose titles were clear to Adam's fatherhood, and who, as heirs to him, owned and exercised paternal jurisdiction over their subjects, and that this was the true patriarchal government: whereas he neither proves that the patriarchs were kings, nor that either kings or patriarchs were heirs to Adam, or so much as pretended to it: and one may as well prove that the patriarchs were all absolute monarchs; that the power both of patriarchs and kings was only paternal; and that this power descended to them from Adam: I say all these propositions may be as well proved by a confused account of a multitude of little kings in the West-Indies, out of Ferdinando Soto, or any of our late histories of the Northern America, or by our author's 70 kings of Greece, out of Homer, as by any

thing he brings out of Scripture, in that multitude of kings he has reckoned up.

§ 154. And methinks he should have let Homer and his wars of Troy alone, since his great zeal to truth or monarchy carried him to such a pitch of transport against philosophers and poets, that he tells us in his preface, that "there are too many in these days who please themselves in running after the opinions of philosophers and poets, to find out such an original of government as might promise them some title to liberty, to the great scandal of Christianity and bringing in of atheism." And yet these heathens, philosopher Aristotle, and poet Homer, are not rejected by our zealous Christian politician, whenever they offer any thing that seems to serve his turn: whether "to the great scandal of Christianity and bringing in of atheism," let him look. This I cannot but observe in authors who it is visible write not for truth, how ready zeal for interest and party is to entitle Christianity to their designs, and to charge atheism on those who will not, without examining, submit to their doctrines, and blindly swallow their nonsense.

But to return to his Scripture history, our author farther tells us, p. 18, that "after the return of the Israelites out of bondage, God, out of a special care of them, chose Moses and Joshua successively to govern as princes in the place and stead of the supreme fathers." If it be true that they returned out of bondage, it must be in a state of freedom, and must imply, that both before and after this bondage they were free; unless our author will say that changing of masters is returning out of bondage; or that a slave returns out of bondage when he is removed from one gally to another. If then they returned out of bondage, it is plain that in those days, whatever our author in his preface says to the contrary, there was a difference between a son, a subject, and a slave; and that neither the patriarchs before, nor their rulers after this "Egyptian bondage, numbered their sons or subjects amongst their possessions," and disposed of them with as absolute a dominion, as they did their other goods.

§ 155. This is evident in Jacob to whom Reuben offered his two sons as pledges; and Judah was at last surety for Benjamin's safe return out of Egypt: which all had been vain, superfluous, and but a sort of mockery, if Jacob had had the same power over every one of his family as he had over his ox or his ass, as an owner over his substance; and the offers that Reuben or Judah made had been such a security for returning of Benjamin, as if a man should take two lambs out of his lord's flock, and offer one as security that he will safely restore the other.

§ 156. When they were out of this bondage, what then? "God out of a special care of them, the Israelites." It is well that once in his book he will allow God to have any care of the people: for in other places he speaks of mankind as if God had no care of any part of them, but only of their monarchs, and that the rest of the people, the societies of men, were made as so many herds of cattle, only for the service, use, and pleasure of their princes.

§ 157. "Chose Moses and Joshua successively to govern as princes;" a shrewd argument our author has found out to prove God's care of the fatherly authority, and Adam's heirs, that here, as an expression of his care of his own people, he chooses those for princes over them that had not the least pretence to either. The persons chosen were Moses, of the tribe of Levi, and Joshua of the tribe of Ephraim, neither of which had any title of fatherhood. But, says our author, they were in the place and stead of the supreme fathers. If God had any where as plainly declared his choice of such fathers to be rulers, as he did of Moses and Joshua, we might believe Moses and Joshua were in their place and stead: but that being the question in debate, till that be better proved, Moses being chosen by God to be ruler of his people, will no more prove that government belonged to Adam's heir, or to the fatherhood, than God's choosing Aaron of the tribe of Levi to be priest, will prove that the priesthood belonged to Adam's heir, or the prime fathers; since God would choose Aaron to be priest, and Moses ruler in Israel,

though neither of those offices were settled on Adam's heir or the fatherhood.

§ 158. Our author goes on, "And after them likewise for a time he raised up judges, to defend his people in time of peril," p. 18. This proves fatherly authority to be the original of government, and that it descended from Adam to his heirs just as well as what went before: only here our author seems to confess that these judges, who were all the governors they then had, were only men of valour, whom they made their generals to defend them in time of peril; and cannot God raise up such men, unless fatherhood have a title to government?

§ 159. But says our author, "when God gave the Israelites kings, he re-established the ancient and prime right of lineal succession to paternal government." p. 18.

§ 160. How did God re-establish it? by a law, a positive command? We find no such thing. Our author means then, that when God gave them a king, in giving them a king, he re-established the right, &c. To re-establish *de facto* the right of lineal succession to paternal government is to put a man in possession of that government which his fathers did enjoy, and he by lineal succession had a right to: for, first, if it were another government than what his ancestor had, it was not succeeding to an ancient right, but beginning a new one: for if a prince should give a man, besides his ancient patrimony, which for some ages his family had been disseised of, an additional estate, never before in the possession of his ancestors, he could not be said to re-establish the right of lineal succession to any more than what had been formerly enjoyed by his ancestors. If therefore the power the kings of Israel had were any thing more than Isaac or Jacob had, it was not the re-establishing in them the right of succession to a power, but giving them a new power, however you please to call it, paternal or not: and whether Isaac and Jacob had the same power that the kings of Israel had, I desire any one, by what has been above said, to consider;

and I do not think he will find that either Abraham, Isaac, or Jacob, had any regal power at all.

§ 161. Next, there can be "no re-establishment of the prime and ancient right of lineal succession" to any thing, unless he that is put in possession of it has the right to succeed, and be the true and next heir to him he succeeds to. Can that be a re-establishment which begins in a new family? or that the "re-establishment of an ancient right of lineal succession," when a crown is given to one who has no right of succession to it; and who, if the lineal succession had gone on, had been out of all possibility of pretence to it? Saul, the first king God gave the Israelites, was of the tribe of Benjamin. Was the "ancient and prime right of lineal succession re-established" in him? The next was David, the youngest son of Jesse, of the posterity of Judah, Jacob's third son. Was the "ancient and prime right of lineal succession to paternal government re-established in him?" or in Solomon, his younger son and successor in the throne? or in Jeroboam over the ten tribes? or in Athaliah, a woman who reigned six years, an utter stranger to the royal blood? "If the ancient and prime right of lineal succession to paternal government were re-established" in any of these or their posterity, "the ancient and prime right of lineal succession to paternal government" belongs to younger brothers as well as elder, and may be re-established in any man living: for whatever younger brothers, "by ancient and prime right of lineal succession," may have as well as the elder, that every man living may have a right to by lineal succession, and Sir Robert as well as any other. And so what a brave right of lineal succession to his paternal or regal government our author has re-established, for the securing the rights and inheritance of crowns, where every one may have it, let the world consider.

§ 162. But says our author, however, p. 19, "Whensoever God made choice of any special person to be king, he intended that the issue also should have benefit thereof, as being comprehended sufficiently in

the person of the father, although the father was only named in the grant." This yet will not help out succession: for if, as our author says, the benefit of the grant be intended to the issue of the grantee, this will not direct the succession; since, if God give any thing to a man and his issue in general, the claim cannot be to any one of that issue in particular; every one that is of his race will have an equal right. If it be said, our author meant heir, I believe our author was as willing as any body to have used that word, if it would have served his turn: but Solomon, who succeeded David in the throne, being no more his heir than Jeroboam, who succeeded him in the government of the ten tribes, was his issue, our author had reason to avoid saying, that God intended it to the heirs, when that would not hold in a succession, which our author could not except against; and so he has left his succession as undetermined, as if he had said nothing about it: for if the regal power be given by God to a man and his issue, as the land of Canaan was to Abraham and his seed, must they not all have a title to it, all share in it? And one may as well say, that by God's grant to Abraham and his seed, the land of Canaan was to belong only to one of his seed, exclusive of all others, as by God's grant of dominion to a man and his issue, this dominion was to belong in peculiar to one of his issue exclusive of all others.

§ 163. But how will our author prove that whensoever God made choice of any special person to be a king, he intended that "the (I suppose he means his) issue also should have benefit thereof?" has he so soon forgot Moses and Joshua, whom in this very section, he says, "God out of a special care chose to govern as princes," and the judges that God raised up? Had not these princes, having the same authority of the supreme fatherhood, the same power that the kings had; and being specially chosen by God himself, should not their issue have the benefit of that choice, as well as David's or Solomon's? If these had the paternal authority put into their hands immediately by God, why had not their issue the benefit of this grant in a succession

to this power? Or if they had it as Adam's heirs, why did not their heirs enjoy it after them by right descending to them? for they could not be heirs to one another. Was the power the same, and from the same original, in Moses, Joshua, and the Judges, as it was in David and the kings; and was it inheritable in one and not in the other? If it was not paternal authority, then God's own people were governed by those that had not paternal authority, and those governors did well enough without it: if it were paternal authority, and God chose the persons that were to exercise it, our author's rule fails, that "whensoever God makes choice of any person to be supreme ruler," (for I suppose the name king has no spell in it, it is not the title, but the power makes the difference), "he intends that the issue also should have the benefit of it," since from their coming out of Egypt to David's time, 400 years, the issue was never "so sufficiently comprehended in the person of the father," as that any son, after the death of his father, succeeded to the government amongst all those judges that judged Israel. If to avoid this, it be said, God always chose the person of the successor, and so, transferring the fatherly authority to him, excluded his issue from succeeding to it, that is manifestly not so in the story of Jephthah, where he articled with the people, and they made him judge over them, as is plain, Judg. xi.

§ 164. It is in vain then to say, that "whensoever God chooses any special person to have the exercise of paternal authority," (for if that be not to be king, I desire to know the difference between a king and one having the exercise of paternal authority), "he intends the issue also should have the benefit of it," since we find the authority the judges had ended with them, and descended not to their issue; and if the judges had not paternal authority, I fear it will trouble our author, or any of the friends to his principles, to tell who had then the paternal authority, that is, the government and supreme power amongst the Israelites: and I suspect they must confess that the chosen people of God continued a people several hundreds of years,

without any knowledge or thought of this paternal authority, or any appearance of monarchical government at all.

§ 165. To be satisfied of this, he need but read the story of the Levite, and the war thereupon with the Benjamites, in the three last chapters of Judges; and when he finds, that the Levite appeals to the people for justice, that it was the tribes and the congregation that debated, resolved, and directed all that was done on that occasion; he must conclude, either that God was not "careful to preserve the fatherly authority" amongst his own chosen people; or else that the fatherly authority may be preserved where there is no monarchical government: if the latter, then it will follow, that though fatherly authority be ever so well proved, yet it will not infer a necessity of monarchical government; if the former, it will seem very strange and improbable, that God should ordain fatherly authority to be so sacred amongst the sons of men, that there could be no power or government without it, and yet that amongst his own people, even whilst he is providing a government for them, and therein prescribes rules to the several states and relations of men, this great and fundamental one, this most material and necessary of all the rest, should be concealed, and lie neglected for 400 years after.

§ 166. Before I leave this, I must ask how our author knows that "whensoever God makes choice of any special person to be king, he intends that the issue should have the benefit thereof?" Does God by the law of nature or revelation say so? By the same law also he must say, which of his issue must enjoy the crown in succession, and so point out the heir, or else leave his issue to divide or scramble for the government: both alike absurd, and such as will destroy the benefit of such grant to the issue. When any such declaration of God's intention is produced, it will be our duty to believe God intends it so; but till that be done, our author must show us some better warrant, before we shall be obliged to receive him as the authentic revealer of God's intentions.

§ 167. "The issue," says our author, "is comprehended sufficiently in the person of the father, although the father only was named in the grant:" and yet God, when he gave the land of Canaan to Abraham, Gen. xiii. 15, thought fit to put his seed into the grant too: so the priesthood was given to Aaron and his seed; and the crown God gave not only to David, but his seed also: and however our author assures us that "God intends that the issue should have the benefit of it, when he chooses any person to be king," yet we see that the kingdom which he gave to Saul, without mentioning his seed after him, never came to any of his issue: and why, when God chose a person to be king, he should intend that his issue should have the benefit of it, more than when he chose one to be judge in Israel, I would fain know a reason; or why does a grant of fatherly authority to a king more comprehend the issue, than when a like grant is made to a judge? Is paternal authority by right to descend to the issue of one, and not of the other? There will need some reason to be shown of this difference more than the name, when the thing given is the same fatherly authority, and the manner of giving it, God's choice of the person, the same too; for I suppose our author, when he says, "God raised up judges," will by no means allow they were chosen by the people.

§ 168. But since our author has so confidently assured us of the care of God to preserve the fatherhood, and pretends to build all he says upon the authority of the Scripture, we may well expect that that people, whose law, constitution, and history are chiefly contained in the Scripture, should furnish him with the clearest instances of God's care of preserving the fatherly authority in that people who it is agreed he had a most peculiar care of. Let us see then what state this paternal authority or government was in amongst the Jews from their beginning to be a people. It was omitted by our author's confession, from their coming into Egypt, till their return out of that bondage, above 200 years: from thence till God gave the Israelites a king, about 400 years more, our author gives but a very slender account

of it; nor indeed all that time are there the least footsteps of paternal or regal government amongst them. But then, says our author, "God re-established the ancient and prime right of lineal succession to paternal government."

§ 169. What a "lineal succession to paternal government" was then established we have already seen. I only now consider how long this lasted, and that was to their captivity, about 500 years: from thence to their destruction by the Romans, above 650 years after, the "ancient and prime right of lineal succession to paternal government" was again lost, and they continued a people in the promised land without it. So that of 1750 years that they were God's peculiar people, they had hereditary kingly government amongst them not one-third of the time; and of that time there is not the least footstep of one moment of "paternal government, nor the re-establishment of the ancient and prime right of lineal succession to it," whether we suppose it to be derived, as from its fountain, from David, Saul, Abraham, or, which upon our author's principles is the only true, from Adam.

OF

CIVIL GOVERNMENT.

BOOK II.

CHAPTER I.

§ 1. It having been shown in the foregoing discourse, 1. That Adam had not, either by natural right of fatherhood, or by positive donation from God, any such authority over his children, or dominion over the world, as is pretended:

2. That if he had, his heirs yet had no right to it:

3. That if his heirs had, there being no law of nature nor positive law of God that determines which is the right heir in all cases that may arise, the right of succession, and consequently of bearing rule, could not have been certainly determined:

4. That if even that had been determined, yet the knowledge of which is the eldest line of Adam's posterity being so long since utterly lost, that in the races of mankind and families of the world there remains not to one above another the least pretence to be the eldest house, and to have the right of inheritance:

All these premises having, as I think, been clearly made out, it is impossible that the rulers now on earth should make any benefit, or derive any the least shadow of authority from that, which is held to be the fountain of all power, "Adam's private dominion and paternal jurisdiction;" so that he that will not give just occasion to think that all government in the world is the product only of force and violence, and that men live together by no other rules but that of beasts, where

the strongest carries it, and so lay a foundation for perpetual disorder and mischief, tumult, sedition, and rebellion, (things that the followers of that hypothesis so loudly cry out against) must of necessity find out another rise of government, another original of political power, and another way of designing and knowing the persons that have it, than what sir Robert Filmer hath taught us.

§ 2. To this purpose, I think it may not be amiss to set down what I take to be political power; that the power of a magistrate over a subject may be distinguished from that of a father over his children, a master over his servants, a husband over his wife, and a lord over his slave. All which distinct powers happening sometimes together in the same man, if he be considered under these different relations, it may help us to distinguish these powers one from another, and show the difference betwixt a ruler of a commonwealth, a father of a family, and a captain of a galley.

§ 3. Political power, then, I take to be a right of making laws with penalties of death, and consequently all less penalties, for the regulating and preserving of property, and of employing the force of the community, in the execution of such laws, and in the defence of the commonwealth from foreign injury; and all this only for the public good.

CHAPTER II.

Of the State of Nature.

§ 4. To understand political power right, and derive it from its original, we must consider what state all men are naturally in, and that is, a state of perfect freedom to order their actions and dispose of their possessions and persons, as they think fit, within the

bounds of the law of nature; without asking leave, or depending upon the will of any other man.

A state also of equality, wherein all the power and jurisdiction is reciprocal, no one having more than another; there being nothing more evident than that creatures of the same species and rank, promiscuously born to all the same advantages of nature, and the use of the same faculties, should also be equal one amongst another without subordination or subjection; unless the Lord and Master of them all should, by any manifest declaration of his will, set one above another, and confer on him, by an evident and clear appointment, an undoubted right to dominion and sovereignty.

§ 5. This equality of men by nature the judicious Hooker looks upon as so evident in itself, and beyond all question, that he makes it the foundation of that obligation to mutual love amongst men, on which he builds the duties we owe one another, and from whence he derives the great maxims of justice and charity. His words are,

"The like natural inducement hath brought men to know that it is no less their duty to love others than themselves; for seeing those things which are equal must needs all have one measure; if I cannot but wish to receive good, even as much at every man's hands as any man can wish unto his own soul, how should I look to have any part of my desire herein satisfied, unless myself be careful to satisfy the like desire, which is undoubtedly in other men, being of one and the same nature? To have any thing offered them repugnant to this desire must needs in all respects grieve them as much as me; so that, if I do harm, I must look to suffer, there being no reason that others should show greater measure of love to me than they have by me showed unto them: my desire therefore to be loved of my equals in nature, as much as possibly may be, imposeth upon me a natural duty of bearing to them-ward fully the like affection: from which relation of equality between ourselves and them that are as ourselves, what several rules and canons natural reason hath drawn, for direction of life, no man is ignorant."

§ 6. But though this be a state of liberty, yet it is not a state of licence: though man in that state have an uncontrollable liberty to dispose of his person or possessions, yet he has not liberty to destroy himself, or so much as any creature in his possession, but where some nobler use than its bare preservation calls for it. The state of nature has a law of nature to govern it, which obliges every one: and reason, which is that law, teaches all mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions: for men being all the workmanship of one omnipotent and infinitely wise Maker; all the servants of one sovereign Master, sent into the world by his order, and about his business; they are his property, whose workmanship they are, made to last during his, not another's pleasure: and being furnished with like faculties, sharing all in one community of nature, there cannot be supposed any such subordination among us that may authorize us to destroy another, as if we were made for one another's uses, as the inferior ranks of creatures are for ours. Every one, as he is bound to preserve himself, and not to quit his station wilfully, so by the like reason, when his own preservation comes not in competition, ought he, as much as he can, to preserve the rest of mankind, and may not, unless it be to do justice to an offender, take away or impair the life, or what tends to the preservation of life, the liberty, health, limb, or goods of another.

§ 7. And that all men may be restrained from invading others' rights, and from doing hurt to one another, and the law of nature be observed, which willeth the peace and preservation of all mankind, the execution of the law of nature is, in that state, put into every man's hands, whereby every one has a right to punish the transgressors of that law to such a degree as may hinder its violation: for the law of nature would, as all other laws that concern men in this world, be in vain, if there were nobody that in the state of nature had a power to execute that law, and

thereby preserve the innocent, and restrain offenders. And if any one in the state of nature may punish another for any evil he has done, every one may do so: for in that state of perfect equality, where naturally there is no superiority or jurisdiction of one over another, what any may do in prosecution of that law every one must needs have a right to do.

§ 8. And thus, in the state of nature, "one man comes by a power over another;" but yet no absolute or arbitrary power to use a criminal, when he has got him in his hands, according to the passionate heats or boundless extravagancy of his own will; but only to retribute to him, so far as calm reason and conscience dictate, what is proportionate to his transgression; which is so much as may serve for reparation and restraint: for these two are the only reasons why one man may lawfully do harm to another, which is that we call punishment. In transgressing the law of nature, the offender declares himself to live by another rule than that of reason and common equity, which is that measure God has set to the actions of men for their mutual security; and so he becomes dangerous to mankind, the tie, which is to secure them from injury and violence, being slighted and broken by him: which being a trespass against the whole species, and the peace and safety of it, provided for by the law of nature; every man upon this score, by the right he hath to preserve mankind in general, may restrain, or, where it is necessary, destroy things noxious to them, and so may bring such evil on any one, who hath transgressed that law, as may make him repent the doing of it, and thereby deter him, and by his example others, from doing the like mischief. And in this case, and upon this ground, "every man hath a right to punish the offender, and be executioner of the law of nature."

§ 9. I doubt not but this will seem a very strange doctrine to some men: but, before they condemn it, I desire them to resolve me by what right any prince or state can put to death or punish an alien for any crime he commits in their country. It is certain their laws,

by virtue of any sanction they receive from the promulgated will of the legislative, reach not a stranger: they speak not to him, nor, if they did, is he bound to hearken to them. The legislative authority, by which they are in force over the subjects of that commonwealth, hath no power over him. Those who have the supreme power of making laws in England, France, or Holland, are to an Indian but like the rest of the world, men without authority: and therefore, if by the law of nature every man hath not a power to punish offences against it, as he soberly judges the case to require, I see not how the magistrates of any community can punish an alien of another country; since, in reference to him, they can have no more power than what every man naturally may have over another.

§ 10. Besides the crime which consists in violating the law, and varying from the right rule of reason, whereby a man so far becomes degenerate, and declares himself to quit the principles of human nature, and to be a noxious creature, there is commonly injury done to some person or other, and some other man receives damage by his transgression: in which case he who hath received any damage, has, besides the right of punishment common to him with other men, a particular right to seek reparation from him that has done it: and any other person, who finds it just, may also join with him that is injured, and assist him in recovering from the offender so much as may make satisfaction for the harm he has suffered.

§ 11. From these two distinct rights, the one of punishing the crime for restraint, and preventing the like offence, which right of punishing is in every body; the other of taking reparation, which belongs only to the injured party; comes it to pass that the magistrate, who by being magistrate hath the common right of punishing put into his hands, can often, where the public good demands not the execution of the law, remit the punishment of criminal offences by his own authority, but yet cannot remit the satisfaction due to any private man for the damage he has received. That he who has

suffered the damage has a right to demand in his own name, and he alone can remit: the damnified person has this power of appropriating to himself the goods or service of the offender, by right of self-preservation, as every man has a power to punish the crime, to prevent its being committed again, "by the right he has of preserving all mankind," and doing all reasonable things he can in order to that end: and thus it is that every man, in the state of nature, has a power to kill a murderer, both to deter others from doing the like injury, which no reparation can compensate, by the example of the punishment that attends it from every body; and also to secure men from the attempts of a criminal, who having renounced reason, the common rule and measure God hath given to mankind, hath, by the unjust violence and slaughter he hath committed upon one, declared war against all mankind; and therefore may be destroyed as a lion or a tiger, one of those wild savage beasts with whom men can have no society nor security: and upon this is grounded that great law of nature, "Whoso sheddeth man's blood, by man shall his blood be shed." And Cain was so fully convinced that every one had a right to destroy such a criminal, that, after the murder of his brother, he cries out, "Every one that findeth me shall slay me;" so plain was it writ in the hearts of mankind.

§ 12. By the same reason may a man in the state of nature punish the lesser breaches of that law. It will perhaps be demanded, with death? I answer, each transgression may be punished to that degree, and with so much severity, as will suffice to make it an ill bargain to the offender, give him cause to repent, and terrify others from doing the like. Every offence, that can be committed in the state of nature, may in the state of nature be also punished equally, and as far forth, as it may in a commonwealth: for though it would be beside my present purpose to enter here into the particulars of the law of nature, or its measures of punishment, yet it is certain there is such a law, and that too as intelligible and plain to a rational creature, and a studier of that

law, as the positive laws of commonwealths; nay, possibly plainer, as much as reason is easier to be understood than the fancies and intricate contrivances of men, following contrary and hidden interests put into words; for so truly are a great part of the municipal laws of countries, which are only so far right, as they are founded on the law of nature, by which they are to be regulated and interpreted.

§ 13. To this strange doctrine, viz. That "in the state of nature every one has the executive power" of the law of nature, I doubt not but it will be objected, that it is unreasonable for men to be judges in their own cases, that self-love will make men partial to themselves and their friends: and, on the other side, that ill-nature, passion, and revenge will carry them too far in punishing others; and hence nothing but confusion and disorder will follow: and that therefore God hath certainly appointed government to restrain the partiality and violence of men. I easily grant, that civil government is the proper remedy for the inconveniencies of the state of nature, which must certainly be great, where men may be judges in their own case; since it is easy to be imagined, that he who was so unjust as to do his brother an injury, will scarce be so just as to condemn himself for it: but I shall desire those who make this objection to remember, that absolute monarchs are but men; and if government is to be the remedy of those evils, which necessarily follow from men's being judges in their own cases, and the state of nature is therefore not to be endured; I desire to know what kind of government that is, and how much better it is than the state of nature, where one man, commanding a multitude, has the liberty to be judge in his own case, and may do to all his subjects whatever he pleases, without the least liberty to any one to question or control those who execute his pleasure? and in whatsoever he doth, whether led by reason, mistake, or passion, must be submitted to? Much better it is in the state of nature, wherein men are not bound to submit to the unjust will of another: and if he that

judges, judges amiss in his own, or any other case, he is answerable for it to the rest of mankind.

§ 14. It is often asked, as a mighty objection, "where are or ever were there any men in such a state of nature?" To which it may suffice as an answer at present, that since all princes and rulers of independent governments, all through the world, are in a state of nature, it is plain the world never was, nor ever will be, without numbers of men in that state. I have named all governors of independent communities, whether they are, or are not, in league with others: for it is not every compact that puts an end to the state of nature between men, but only this one of agreeing together mutually to enter into one community, and make one body politic; other promises and compacts men may make one with another, and yet still be in the state of nature. The promises and bargains for truck, &c. between the two men in the desert island, mentioned by Garcilasso de la Vega, in his history of Peru; or between a Swiss and an Indian, in the woods of America; are binding to them, though they are perfectly in a state of nature, in reference to one another: for truth and keeping of faith belongs to men as men, and not as members of society.

§ 15. To those that say, there were never any men in the state of nature, I will not only oppose the authority of the judicious Hooker, Eccl. Pol. lib. i. sect. 10, where he says, "The laws which have been hitherto mentioned," *i. e.* the laws of nature, "do bind men absolutely, even as they are men, although they have never any settled fellowship, never any solemn agreement amongst themselves what to do, or not to do: but forasmuch as we are not by ourselves sufficient to furnish ourselves with competent store of things, needful for such a life as our nature doth desire, a life fit for the dignity of man; therefore to supply those defects and imperfections which are in us, as living singly and solely by ourselves, we are naturally induced to seek communion and fellowship with others. This was the cause of men's uniting themselves at first in politic

societies." But I moreover affirm, that all men are naturally in that state, and remain so, till by their own consents they make themselves members of some politic society; and I doubt not in the sequel of this discourse to make it very clear.

CHAPTER III.

Of the State of War.

§ 16. THE state of war is a state of enmity and destruction: and therefore declaring by word or action, not a passionate and hasty, but a sedate, settled design upon another man's life, puts him in a state of war with him against whom he has declared such an intention, and so has exposed his life to the other's power to be taken away by him, or any one that joins with him in his defence, and espouses his quarrel; it being reasonable and just, I should have a right to destroy that which threatens me with destruction: for, by the fundamental law of nature, man being to be preserved as much as possible, when all cannot be preserved, the safety of the innocent is to be preferred: and one may destroy a man who makes war upon him, or has discovered an enmity to his being, for the same reason that he may kill a wolf or a lion; because such men are not under the ties of the common law of reason, have no other rule but that of force and violence, and so may be treated as beasts of prey, those dangerous and noxious creatures, that will be sure to destroy him whenever he falls into their power.

§ 17. And hence it is, that he who attempts to get another man into his absolute power, does thereby put himself into a state of war with him; it being to be understood as a declaration of a design upon his life: for I have reason to conclude, that he who would get me into his power without my consent, would use me

as he pleased when he got me there, and destroy me too when he had a fancy to it; for nobody can desire to have me in his absolute power, unless it be to compel me by force to that which is against the right of my freedom, *i. e.* make me a slave. To be free from such force is the only security of my preservation; and reason bids me look on him as an enemy to my preservation, who would take away that freedom which is the fence to it; so that he who makes an attempt to enslave me, thereby puts himself into a state of war with me. He that, in the state of nature, would take away the freedom that belongs to any one in that state, must necessarily be supposed to have a design to take away every thing else, that freedom being the foundation of all the rest; as he that, in the state of society, would take away the freedom belonging to those of that society or commonwealth, must be supposed to design to take away from them every thing else, and so be looked on as in a state of war.

§ 18. This makes it lawful for a man to kill a thief, who has not in the least hurt him, nor declared any design upon his life, any farther than, by the use of force, so to get him in his power, as to take away his money, or what he pleases, from him; because using force, where he has no right, to get me into his power, let his pretence be what it will, I have no reason to suppose, that he, who would take away my liberty, would not, when he had me in his power, take away every thing else. And therefore it is lawful for me to treat him as one who has put himself into a state of war with me, *i. e.* kill him if I can; for to that hazard does he justly expose himself, whoever introduces a state of war, and is aggressor in it.

§ 19. And here we have the plain "difference between the state of nature and the state of war;" which, however some men have confounded, are as far distant as a state of peace, good-will, mutual assistance and preservation, and a state of enmity, malice, violence, and mutual destruction, are one from another. Men living together according to reason, without a common superior on earth, with authority to judge between them,

is properly the state of nature. But force, or a declared design of force, upon the person of another, where there is no common superior on earth to appeal to for relief, is the state of war: and it is the want of such an appeal gives a man the right of war even against an aggressor, though he be in society, and a fellow-subject. Thus a thief, whom I cannot harm, but by appeal to the law, for having stolen all that I am worth, I may kill, when he sets on me to rob me but of my horse or coat; because the law, which was made for my preservation, where it cannot interpose to secure my life from present force, which, if lost, is capable of no reparation, permits me my own defence, and the right of war, a liberty to kill the aggressor, because the aggressor allows not time to appeal to our common judge, nor the decision of the law, for remedy in a case where the mischief may be irreparable. Want of a common judge with authority puts all men in a state of nature: force without right, upon a man's person, makes a state of war, both where there is, and is not, a common judge.

§ 20. But when the actual force is over, the state of war ceases between those that are in society, and are equally on both sides subjected to the fair determination of the law; because then there lies open the remedy of appeal for the past injury, and to prevent future harm: but where no such appeal is, as in the state of nature, for want of positive laws, and judges with authority to appeal to, the state of war once begun, continues with a right to the innocent party to destroy the other whenever he can, until the aggressor offers peace, and desires reconciliation on such terms as may repair any wrongs he has already done, and secure the innocent for the future; nay, where an appeal to the law, and constituted judges, lies open, but the remedy is denied by a manifest perverting of justice, and a barefaced wresting of the laws to protect or indemnify the violence or injuries of some men, or party of men; there it is hard to imagine any thing but a state of war: for wherever violence is used, and injury done, though by hands appointed to administer justice, it is still violence

and injury, however coloured with the name, pretences, or forms of law, the end whereof being to protect and redress the innocent, by an unbiassed application of it, to all who are under it; wherever that is not *bona fide* done, war is made upon the sufferers, who having no appeal on earth to right them, they are left to the only remedy in such cases, an appeal to Heaven.

§ 21. To avoid this state of war (wherein there is no appeal but to Heaven, and wherein every the least difference is apt to end, where there is no authority to decide between the contenders) is one great reason of men's putting themselves into society, and quitting the state of nature: for where there is an authority, a power on earth, from which relief can be had by appeal, there the continuance of the state of war is excluded, and the controversy is decided by that power. Had there been any such court, any superior jurisdiction on earth, to determine the right between Jephthah and the Ammonites, they had never come to a state of war: but we see he was forced to appeal to Heaven: "The Lord the Judge (says he) be judge this day, between the children of Israel and the children of Ammon," Judg. xi. 27; and then prosecuting, and relying on his appeal, he leads out his army to battle: and therefore in such controversies, where the question is put, who shall be judge? it cannot be meant, who shall decide the controversy; every one knows what Jephthah here tells us, that "the Lord the Judge" shall judge. Where there is no judge on earth, the appeal lies to God in heaven. That question then cannot mean, who shall judge whether another hath put himself in a state of war with me, and whether I may, as Jephthah did, appeal to Heaven in it? of that I myself can only be judge in my own conscience, as I will answer it, at the great day, to the supreme Judge of all men.

CHAPTER IV.

Of Slavery.

§ 22. THE natural liberty of man is to be free from any superior power on earth, and not to be under the will or legislative authority of man, but to have only the law of nature for his rule. The liberty of man, in society, is to be under no other legislative power, but that established, by consent, in the commonwealth; nor under the dominion of any will, or restraint of any law, but what that legislative shall enact, according to the trust put in it. Freedom, then, is not what sir Robert Filmer tells us, O. A. 55, "a liberty for every one to do what he lists, to live as he pleases, and not to be tied by any laws:" but freedom of men under government is, to have a standing rule to live by, common to every one of that society, and made by the legislative power erected in it; a liberty to follow my own will in all things, where the rule prescribes not; and not to be subject to the inconstant, uncertain, unknown, arbitrary will of another man: as freedom of nature is, to be under no other restraint but the law of nature.

§ 23. This freedom from absolute, arbitrary power, is so necessary to, and closely joined with, a man's preservation, that he cannot part with it, but by what forfeits his preservation and life together: for a man, not having the power of his own life, cannot, by compact, or his own consent, enslave himself to any one, nor put himself under the absolute, arbitrary power of another, to take away his life when he pleases. Nobody can give more power than he has himself; and he that cannot take away his own life, cannot give another power over it. Indeed, having by his fault forfeited his own life, by some act that deserves death; he, to whom he

has forfeited it, may (when he has him in his power) delay to take it, and make use of him to his own service, and he does him no injury by it: for, whenever he finds the hardship of his slavery outweigh the value of his life, it is in his power, by resisting the will of his master, to draw on himself the death he desires.

§ 24. This is the perfect condition of slavery, which is nothing else but "the state of war continued, between a lawful conqueror and a captive:" for, if once compact enter between them, and make an agreement for a limited power on the one side, and obedience on the other, the state of war and slavery ceases, as long as the compact endures: for, as has been said, no man can, by agreement, pass over to another that which he hath not in himself, a power over his own life.

I confess, we find among the Jews, as well as other nations, that men did sell themselves; but, it is plain, this was only to drudgery, not to slavery: for, it is evident, the person sold was not under an absolute, arbitrary, despotical power: for the master could not have power to kill him, at any time, whom, at a certain time, he was obliged to let go free out of his service; and the master of such a servant was so far from having an arbitrary power over his life, that he could not, at pleasure, so much as maim him, but the loss of an eye, or tooth, set him free, Exod. xxi.

CHAPTER V.

Of Property.

§ 25. WHETHER we consider natural reason, which tells us, that men, being once born, have a right to their preservation, and consequently to meat and drink, and such other things as nature affords for their subsistence: or revelation, which

gives us an account of those grants God made of the world to Adam, and to Noah, and his sons; it is very clear, that God, as king David says, Psal. cxv. 16, "has given the earth to the children of men;" given it to mankind in common. But this being supposed, it seems to some a very great difficulty how any one should ever come to have a property in any thing: I will not content myself to answer, that if it be difficult to make out property, upon a supposition that God gave the world to Adam and his posterity in common, it is impossible that any man, but one universal monarch, should have any property, upon a supposition that God gave the world to Adam, and his heirs in succession, exclusive of all the rest of his posterity. But I shall endeavour to show how men might come to have a property in several parts of that which God gave to mankind in common, and that without any express compact of all the commoners.

§ 26. God, who hath given the world to men in common, hath also given them reason to make use of it to the best advantage of life and convenience. The earth, and all that is therein, is given to men for the support and comfort of their being. And though all the fruits it naturally produces, and beasts it feeds, belong to mankind in common, as they are produced by the spontaneous hand of nature; and nobody has originally a private dominion, exclusive of the rest of mankind, in any of them, as they are thus in their natural state: yet being given for the use of men, there must of necessity be a means to appropriate them some way or other before they can be of any use, or at all beneficial to any particular man. The fruit, or venison, which nourishes the wild Indian, who knows no enclosure, and is still a tenant in common, must be his, and so his, *i. e.* a part of him, that another can no longer have any right to it, before it can do him any good for the support of his life.

§ 27. Though the earth, and all inferior creatures, be common to all men, yet every man has a property in his own person: this nobody has any right to but himself. The labour of his body, and the work of his

hands, we may say, are properly his. Whatsoever then he removes out of the state that nature hath provided, and left it in, he hath mixed his labour with, and joined to it something that is his own, and thereby makes it his property. It being by him removed from the common state nature hath placed it in, it hath by this labour something annexed to it that excludes the common right of other men. For this labour being the unquestionable property of the labourer, no man but he can have a right to what that is once joined to, at least where there is enough, and as good, left in common for others.

§ 28. He that is nourished by the acorns he picked up under an oak, or the apples he gathered from the trees in the wood, has certainly appropriated them to himself. Nobody can deny but the nourishment is his. I ask then, when did they begin to be his? when he digested? or when he ate? or when he boiled? or when he brought them home? or when he picked them up? and it is plain, if the first gathering made them not his, nothing else could. That labour put a distinction between them and common: that added something to them more than nature, the common mother of all, had done; and so they became his private right. And will any one say, he had no right to those acorns or apples he thus appropriated, because he had not the consent of all mankind to make them his? was it a robbery thus to assume to himself what belonged to all in common? If such a consent as that was necessary, man had starved, notwithstanding the plenty God had given him. We see in commons, which remain so by compact, that it is the taking any part of what is common, and removing it out of the state nature leaves it in, which begins the property; without which the common is of no use. And the taking of this or that part does not depend on the express consent of all the commoners. Thus the grass my horse has bit; the turfs my servant has cut; and the ore I have digged in any place, where I have a right to them in common with others; become my property, without the assignation or consent of any body. The labour that was mine, removing them out

of that common state they were in, hath fixed my property in them.

§ 29. By making an explicit consent of every commoner necessary to any one's appropriating to himself any part of what is given in common, children or servants could not cut the meat, which their father or master had provided for them in common, without assigning to every one his peculiar part. Though the water running in the fountain be every one's, yet who can doubt but that in the pitcher is his only who drew it out? His labour hath taken it out of the hands of nature, where it was common, and belonged equally to all her children, and hath thereby appropriated it to himself.

§ 30. Thus this law of reason makes the deer that Indian's who hath killed it; it is allowed to be his goods who hath bestowed his labour upon it, though before it was the common right of every one. And amongst those who are counted the civilized part of mankind, who have made and multiplied positive laws to determine property, this original law of nature, for the beginning of property, in what was before common, still takes place; and by virtue thereof, what fish any one catches in the ocean, that great and still remaining common of mankind; or what ambergris any one takes up here, is by the labour that removes it out of that common state nature left it in made his property who takes that pains about it. And even amongst us, the hare that any one is hunting is thought his who pursues her during the chase: for being a beast that is still looked upon as common, and no man's private possession; whoever has employed so much labour about any of that kind, as to find and pursue her, has thereby removed her from the state of nature, wherein she was common, and hath begun a property.

§ 31. It will perhaps be objected to this, that "if gathering the acorns, or other fruits of the earth, &c. makes a right to them, then any one may engross as much as he will." To which I answer, Not so. The same law of nature, that does by this means give us property, does also bound that property too. "God has given us all things richly," 1 Tim. vi. 17, is the

voice of reason confirmed by inspiration. But how far has he given it us? To enjoy. As much as any one can make use of to any advantage of life before it spoils, so much he may by his labour fix a property in: whatever is beyond this, is more than his share, and belongs to others. Nothing was made by God for man to spoil or destroy. And thus, considering the plenty of natural provisions there was a long time in the world, and the few spenders; and to how small a part of that provision the industry of one man could extend itself, and engross it to the prejudice of others; especially keeping within the bounds, set by reason, of what might serve for his use; there could be then little room for quarrels or contentions about property so established.

§ 32. But the chief matter of property being now not the fruits of the earth, and the beasts that subsist on it, but the earth itself; as that which takes in, and carries with it all the rest; I think it is plain, that property in that too is acquired as the former. As much land as a man tills, plants, improves, cultivates, and can use the product of, so much is his property. He by his labour does, as it were, enclose it from the common. Nor will it invalidate his right, to say every body else has an equal title to it, and therefore he cannot appropriate, he cannot enclose, without the consent of all his fellow-commoners, all mankind. God, when he gave the world in common to all mankind, commanded man also to labour, and the penury of his condition required it of him. God and his reason commanded him to subdue the earth, *i. e.* improve it for the benefit of life, and therein lay out something upon it that was his own, his labour. He that, in obedience to this command of God, subdued, tilled, and sowed any part of it, thereby annexed to it something that was his property, which another had no title to, nor could without injury take from him.

§ 33. Nor was this appropriation of any parcel of land, by improving it, any prejudice to any other man, since there was still enough, and as good left; and more than the yet unprovided could use. So that, in effect, there was never the less left for others because of his

enclosure for himself: for he that leaves as much as another can make use of, does as good as take nothing at all. Nobody could think himself injured by the drinking of another man, though he took a good draught, who had a whole river of the same water left him to quench his thirst; and the case of land and water, where there is enough of both, is perfectly the same.

§ 34. God gave the world to men in common; but since he gave it them for their benefit, and the greatest conveniencies of life they were capable to draw from it, it cannot be supposed he meant it should always remain common and uncultivated. He gave it to the use of the industrious and rational (and labour was to be his title to it), not to the fancy or covetousness of the quarrelsome and contentious. He that had as good left for his improvement as was already taken up, needed not complain, ought not to meddle with what was already improved by another's labour: if he did, it is plain he desired the benefit of another's pains, which he had no right to, and not the ground which God had given him in common with others to labour on, and whereof there was as good left as that already possessed, and more than he knew what to do with, or his industry could reach to.

§ 35. It is true, in land that is common in England, or any other country, where there is plenty of people under government, who have money and commerce, no one can enclose or appropriate any part without the consent of all his fellow-commoners; because this is left common by compact, *i. e.* by the law of the land, which is not to be violated. And though it be common, in respect of some men, it is not so to all mankind, but is the joint property of this county, or this parish. Besides, the remainder, after such enclosure, would not be as good to the rest of the commoners as the whole was when they could all make use of the whole; whereas in the beginning and first peopling of the great common of the world it was quite otherwise. The law man was under was rather for appropriating. God commanded, and his wants forced him to labour. That was his property which could not be taken from him

wherever he had fixed it. And hence subduing or cultivating the earth, and having dominion, we see are joined together. The one gave title to the other. So that God, by commanding to subdue, gave authority so far to appropriate: and the condition of human life, which requires labour and materials to work on, necessarily introduces private possessions.

§ 36. The measure of property nature has well set by the extent of men's labour and the conveniencies of life: no man's labour could subdue, or appropriate all; nor could his enjoyment consume more than a small part; so that it was impossible for any man, this way, to intrench upon the right of another, or acquire to himself a property, to the prejudice of his neighbour, who would still have room for as good and as large a possession (after the other had taken out his) as before it was appropriated. This measure did confine every man's possession to a very moderate proportion, and such as he might appropriate to himself, without injury to any body, in the first ages of the world, when men were more in danger to be lost, by wandering from their company, in the then vast wilderness of the earth, than to be straitened for want of room to plant in. And the same measure may be allowed still without prejudice to any body, as full as the world seems: for supposing a man, or family, in the state they were at first peopling of the world by the children of Adam, or Noah; let him plant in some inland, vacant places of America, we shall find that the possessions he could make himself, upon the measures we have given, would not be very large, nor, even to this day, prejudice the rest of mankind, or give them reason to complain, or think themselves injured by this man's encroachment; though the race of men have now spread themselves to all the corners of the world, and do infinitely exceed the small number was at the beginning. Nay, the extent of ground is of so little value, without labour, that I have heard it affirmed, that in Spain itself a man may be permitted to plough, sow, and reap, without being disturbed, upon land he has no other title to, but only his making use of it. But, on the contrary, the in-

habitants think themselves beholden to him, who, by his industry on neglected, and consequently waste land, has increased the stock of corn, which they wanted. But be this as it will, which I lay no stress on; this I dare boldly affirm, that the same rule of propriety, viz. that every man should have as much as he could make use of, would hold still in the world, without straitening any body; since there is land enough in the world to suffice double the inhabitants, had not the invention of money, and the tacit agreement of men to put a value on it, introduced (by consent) larger possessions, and a right to them; which, how it has done, I shall by and by show more at large.

§ 37. This is certain, that in the beginning, before the desire of having more than man needed had altered the intrinsic value of things, which depends only on their usefulness to the life of man; or had agreed, that a little piece of yellow metal, which would keep without wasting or decay, should be worth a great piece of flesh, or a whole heap of corn; though men had a right to appropriate, by their labour, each one to himself, as much of the things of nature as he could use: yet this could not be much, nor to the prejudice of others, where the same plenty was still left to those who would use the same industry. To which let me add, that he who appropriates land to himself by his labour, does not lessen, but increase the common stock of mankind: for the provisions serving to the support of human life, produced by one acre of enclosed and cultivated land, are (to speak much within compass) ten times more than those which are yielded by an acre of land of an equal richness lying waste in common. And therefore he that encloses land, and has a greater plenty of the conveniencies of life from ten acres, than he could have from an hundred left to nature, may truly be said to give ninety acres to mankind: for his labour now supplies him with provisions out of ten acres, which were by the product of an hundred lying in common. I have here rated the improved land very low, in making its product but as ten to one, when it is much nearer an hundred to one: for I ask, whether in the wild woods and uncultivated waste of America, left to nature,

without any improvement, tillage, or husbandry, a thousand acres yield the needy and wretched inhabitants as many conveniencies of life as ten acres equally fertile land do in Devonshire, where they are well cultivated?

Before the appropriation of land, he who gathered as much of the wild fruit, killed, caught, or tamed, as many of the beasts, as he could; he that so employed his pains about any of the spontaneous products of nature, as any way to alter them from the state which nature put them in, by placing any of his labour on them, did thereby acquire a propriety in them: but if they perished, in his possession, without their due use; if the fruits rotted, or the venison putrefied, before he could spend it; he offended against the common law of nature, and was liable to be punished; he invaded his neighbour's share, for he had no right, farther than his use called for any of them, and they might serve to afford him conveniencies of life.

§ 38. The same measures governed the possession of land too: whatsoever he tilled and reaped, laid up and made use of, before it spoiled, that was his peculiar right; whatsoever he enclosed, and could feed, and make use of, the cattle and product was also his. But if either the grass of his enclosure rotted on the ground, or the fruit of his planting perished without gathering and laying up; this part of the earth, notwithstanding his enclosure, was still to be looked on as waste, and might be the possession of any other. Thus, at the beginning, Cain might take as much ground as he could till, and make it his own land, and yet leave enough to Abel's sheep to feed on; a few acres would serve for both their possessions. But as families increased, and industry enlarged their stocks, their possessions enlarged with the need of them; but yet it was commonly without any fixed property in the ground they made use of, till they incorporated, settled themselves together, and built cities; and then, by consent, they came in time to set out the bounds of their distinct territories, and agree on limits between them and their neighbours; and by laws within themselves settled the properties of those of the same society: for we see that in that part of the

world which was first inhabited, and therefore like to be best peopled, even as low down as Abraham's time, they wandered with their flocks, and their herds, which was their substance, freely up and down; and this Abraham did, in a country where he was a stranger. Whence it is plain, that at least a great part of the land lay in common; that the inhabitants valued it not, nor claimed property in any more than they made use of. But when there was not room enough in the same place for their herds to feed together, they by consent, as Abraham and Lot did, Gen. xiii. 5, separated and enlarged their pasture, where it best liked them. And for the same reason Esau went from his father, and his brother, and planted in mount Seir, Gen. xxxvi. 6.

§ 39. And thus, without supposing any private dominion and property in Adam, over all the world, exclusive of all other men, which can no way be proved, nor any one's property be made out from it; but supposing the world given, as it was, to the children of men in common, we see how labour could make men distinct titles to several parcels of it, for their private uses; wherein there could be no doubt of right, no room for quarrel.

§ 40. Nor is it so strange, as perhaps before consideration it may appear, that the property of labour should be able to overbalance the community of land: for it is labour indeed that put the difference of value on every thing; and let any one consider what the difference is between an acre of land planted with tobacco or sugar, sown with wheat or barley, and an acre of the same land lying in common, without any husbandry upon it, and he will find, that the improvement of labour makes the far greater part of the value. I think it will be but a very modest computation to say, that of the products of the earth useful to the life of man, nine-tenths are the effects of labour: nay, if we will rightly estimate things as they come to our use, and cast up the several expenses about them, what in them is purely owing to nature, and what to labour, we shall find, that in most of them ninety-nine hundredths are wholly to be put on the account of labour.

§ 41. There cannot be a clearer demonstration of any thing, than several nations of the Americans are of this, who are rich in land, and poor in all the comforts of life; whom nature having furnished as liberally as any other people with the materials of plenty, *i. e.* a fruitful soil, apt to produce in abundance what might serve for food, raiment, and delight; yet, for want of improving it by labour, have not one-hundredth part of the conveniencies we enjoy: and a king of a large and fruitful territory there feeds, lodges, and is clad worse than a day-labourer in England.

§ 42. To make this a little clear, let us but trace some of the ordinary provisions of life, through their several progresses, before they come to our use, and see how much of their value they receive from human industry. Bread, wine, and cloth, are things of daily use, and great plenty; yet notwithstanding, acorns, water, and leaves, or skins, must be our bread, drink, and clothing, did not labour furnish us with these more useful commodities: for whatever bread is more worth than acorns, wine than water, and cloth or silk than leaves, skins, or moss, that is wholly owing to labour and industry; the one of these being the food and raiment which unassisted nature furnishes us with; the other, provisions which our industry and pains prepare for us; which, how much they exceed the other in value, when any one hath computed, he will then see how much labour makes the far greatest part of the value of things we enjoy in this world: and the ground which produces the materials is scarce to be reckoned in as any, or, at most, but a very small part of it; so little, that even amongst us, land that is left wholly to nature, that hath no improvement of pasturage, tillage, or planting, is called, as indeed it is, waste; and we shall find the benefit of it amount to little more than nothing.

This shows how much numbers of men are to be preferred to largeness of dominions; and that the increase of lands, and the right of employing of them, is the great art of government: and that prince, who shall be so wise and godlike, as by established laws of liberty

to secure protection and encouragement to the honest industry of mankind, against the oppression of power and narrowness of party, will quickly be too hard for his neighbours: but this by the by. To return to the argument in hand.

§ 43. An acre of land, that bears here twenty bushels of wheat, and another in America, which, with the same husbandry, would do the like, are, without doubt, of the same natural intrinsic value: but yet the benefit mankind receives from the one in a year is worth *5l.* and from the other possibly not worth a penny, if all the profit an Indian received from it were to be valued, and sold here; at least, I may truly say, not one thousandth. It is labour, then, which puts the greatest part of the value upon land, without which it would scarcely be worth any thing: it is to that we owe the greatest part of all its useful products; for all that the straw, bran, bread, of that acre of wheat, is more worth than the product of an acre of as good land, which lies waste, is all the effect of labour: for it is not barely the ploughman's pains, the reaper's and thresher's toil, and the baker's sweat, is to be counted into the bread we eat; the labour of those who broke the oxen, who digged and wrought the iron and stones, who felled and framed the timber employed about the plough, mill, oven, or any other utensils, which are a vast number, requisite to this corn, from its being seed to be sown to its being made bread, must all be charged on the account of labour, and received as an effect of that: nature and the earth furnished only the almost worthless materials, as in themselves. It would be a strange "catalogue of things, that industry provided and made use of, about every loaf of bread," before it came to our use, if we could trace them; iron, wood, leather, bark, timber, stone, bricks, coals, lime, cloth, dyeing, drugs, pitch, tar, masts, ropes, and all the materials made use of in the ship, that brought any of the commodities used by any of the workmen, to any part of the work: all which it would be almost impossible, at least too long, to reckon up.

§ 44. From all which it is evident, that though the

things of nature are given in common, yet man, by being master of himself, and "proprietor of his own person, and the actions or labour of it, had still in himself the great foundation of property;" and that which made up the greater part of what he applied to the support or comfort of his being, when invention and arts had improved the conveniencies of life, was perfectly his own, and did not belong in common to others.

§ 45. Thus labour, in the beginning, gave a right of property wherever any one was pleased to employ it upon what was common, which remained a long while the far greater part, and is yet more than mankind makes use of. Men, at first, for the most part, contented themselves with what unassisted nature offered to their necessities: and though afterwards, in some parts of the world, (where the increase of people and stock, with the use of money, had made land scarce, and so of some value) the several communities settled the bounds of their distinct territories, and by laws within themselves regulated the properties of the private men of their society, and so, by compact and agreement, settled the property which labour and industry began: and the leagues that have been made between several states and kingdoms, either expressly or tacitly disowning all claim and right to the land in the others' possession, have, by common consent, given up their pretences to their natural common right, which originally they had to those countries, and so have, by positive agreement, settled a property amongst themselves, in distinct parts and parcels of the earth; yet there are still great tracts of ground to be found, which (the inhabitants thereof not having joined with the rest of mankind in the consent of the use of their common money) lie waste, and are more than the people who dwell on it do or can make use of, and so still lie in common; though this can scarce happen amongst that part of mankind that have consented to the use of money.

§ 46. The greatest part of things really useful to the life of man, and such as the necessity of subsisting

made the first commoners of the world look after, as it doth the Americans now, are generally things of short duration; such as, if they are not consumed by use, will decay and perish of themselves: gold, silver, and diamonds, are things that fancy or agreement hath put the value on, more than real use, and the necessary support of life. Now of those good things which nature hath provided in common, every one had a right (as hath been said) to as much as he could use, and property in all that he could effect with his labour; all that his industry could extend to, to alter from the state nature had put it in, was his. He that gathered a hundred bushels of acorns or apples, had thereby a property in them; they were his goods as soon as gathered. He was only to look that he used them before they spoiled, else he took more than his share, and robbed others. And indeed it was a foolish thing, as well as dishonest, to hoard up more than he could make use of. If he gave away a part to any body else, so that it perished not uselessly in his possession, these he also made use of. And if he also bartered away plums, that would have rotted in a week, for nuts that would last good for his eating a whole year, he did no injury; he wasted not the common stock; destroyed no part of the portion of the goods that belonged to others, so long as nothing perished uselessly in his hands. Again, if he would give his nuts for a piece of metal, pleased with its colour; or exchange his sheep for shells, or wool for a sparkling pebble or a diamond, and keep those by him all his life, he invaded not the right of others; he might heap as much of these durable things as he pleased; the exceeding of the bounds of his just property not lying in the largeness of his possession, but the perishing of any thing uselessly in it.

§ 47. And thus came in the use of money, some lasting thing that men might keep without spoiling, and that by mutual consent men would take in exchange for the truly useful, but perishable supports of life.

§ 48. And as different degrees of industry were apt to give men possessions in different proportions, so this invention of money gave them the opportunity to con-

tinue and enlarge them: for supposing an island, separate from all possible commerce with the rest of the world, wherein there were but an hundred families, but there were sheep, horses, and cows, with other useful animals, wholesome fruits, and land enough for corn for a hundred thousand times as many, but nothing in the island, either because of its commonness, or perishableness, fit to supply the place of money; what reason could any one have there to enlarge his possessions beyond the use of his family and a plentiful supply to its consumption, either in what their own industry produced, or they could barter for like perishable, useful commodities with others? Where there is not something, both lasting and scarce, and so valuable, to be hoarded up, there men will not be apt to enlarge their possessions of land, were it ever so rich, ever so free for them to take: for I ask, what would a man value ten thousand, or an hundred thousand acres of excellent land, ready cultivated, and well stocked too with cattle, in the middle of the inland parts of America, where he had no hopes of commerce with other parts of the world, to draw money to him by the sale of the product? It would not be worth the enclosing, and we should see him give up again to the wild common of nature, whatever was more than would supply the conveniencies of life to be had there for him and his family.

§ 49. Thus in the beginning all the world was America, and more so than that is now; for no such thing as money was any where known. Find out something that hath the use and value of money amongst his neighbours, you shall see the same man will begin presently to enlarge his possessions.

§ 50. But since gold and silver, being little useful to the life of man in proportion to food, raiment, and carriage, has its value only from the consent of men, whereof labour yet makes, in great part, the measure; it is plain, that men have agreed to a disproportionate and unequal possession of the earth; they having, by a tacit and voluntary consent, found out a way how a man may fairly possess more land than he himself can use the product of, by receiving, in exchange for the

overplus, gold and silver, which may be hoarded up without injury to any one; these metals not spoiling or decaying in the hands of the possessor. This partage of things in an inequality of private possessions, men have made practicable out of the bounds of society, and without compact; only by putting a value on gold and silver, and tacitly agreeing in the use of money: for in governments, the laws regulate the right of property, and the possession of land is determined by positive constitutions.

§ 51. And thus, I think, it is very easy to conceive, "how labour could at first begin a title of property" in the common things of nature, and how the spending it upon our uses bounded it. So that there could then be no reason of quarrelling about title, nor any doubt about the largeness of possession it gave. Right and conveniency went together; for as a man had a right to all he could employ his labour upon, so he had no temptation to labour for more than he could make use of. This left no room for controversy about the title, nor for encroachment on the right of others; what portion a man carved to himself was easily seen: and it was useless, as well as dishonest, to carve himself too much, or take more than he needed.

CHAPTER VI.

Of paternal Power.

§ 52. It may perhaps be censured as an impertinent criticism, in a discourse of this nature, to find fault with words and names that have obtained in the world: and yet possibly it may not be amiss to offer new ones when the old are apt to lead men into mistakes, as this of paternal power probably has done; which seems so to place the power of parents over their children wholly

in the father, as if the mother had no share in it: whereas, if we consult reason or revelation, we shall find she hath an equal title. This may give one reason to ask, whether this might not be more properly called parental power? for whatever obligation nature and the right of generation lays on children, it must certainly bind them equally to both concurrent causes of it. And accordingly we see the positive law of God every where joins them together, without distinction, when it commands the obedience of children: "Honour thy father and thy mother," Exod. xx. 12. "Whosoever curseth his father or his mother," Lev. xx. 9. "Ye shall fear every man his mother and his father," Lev. xix. 5. "Children, obey your parents," &c. Eph. vi. 1, is the style of the Old and New Testament.

§ 53. Had but this one thing been well considered, without looking any deeper into the matter, it might perhaps have kept men from running into those gross mistakes they have made, about this power of parents; which, however it might, without any great harshness, bear the name of absolute dominion, and regal authority, when under the title of paternal power it seemed appropriated to the father, would yet have sounded but oddly, and in the very name shown the absurdity, if this supposed absolute power over children had been called parental; and thereby have discovered, that it belonged to the mother too: for it will but very ill serve the turn of those men who contend so much for the absolute power and authority of the fatherhood, as they call it, that the mother should have any share in it; and it would have but ill supported the monarchy they contend for, when by the very name it appeared that that fundamental authority, from whence they would derive their government of a single person only, was not placed in one, but two persons jointly. But to let this of names pass.

§ 54. Though I have said above, chap. ii. "That all men by nature are equal," I cannot be supposed to understand all sorts of equality: age or virtue may give men a just precedency: excellency of parts and merit may place others above the common level: birth

may subject some, and alliance or benefits others, to pay an observance to those whom nature, gratitude, or other respects, may have made it due: and yet all this consists with the equality which all men are in, in respect of jurisdiction or dominion one over another; which was the equality I there spoke of, as proper to the business in hand, being that equal right that every man hath to his natural freedom, without being subjected to the will or authority of any other man.

§ 55. Children, I confess, are not born in this state of equality, though they are born to it. Their parents have a sort of rule and jurisdiction over them when they come into the world, and for some time after; but it is but a temporary one. The bonds of this subjection are like the swaddling-clothes they are wrapt up in, and supported by, in the weakness of their infancy: age and reason, as they grow up, loosen them, till at length they drop quite off, and leave a man at his own free disposal.

§ 56. Adam was created a perfect man, his body and mind in full possession of their strength and reason, and so was capable from the first instant of his being to provide for his own support and preservation, and govern his actions according to the dictates of the law of reason which God had implanted in him. From him the world is peopled with his descendants, who are all born infants, weak and helpless, without knowledge or understanding: but to supply the defects of this imperfect state, till the improvement of growth and age hath removed them, Adam and Eve, and after them all parents were, by the law of nature, "under an obligation to preserve, nourish, and educate the children" they had begotten; not as their own workmanship, but the workmanship of their own maker, the Almighty, to whom they were to be accountable for them.

§ 57. The law that was to govern Adam was the same that was to govern all his posterity, the law of reason. But his offspring having another way of entrance into the world, different from him, by a natural birth, that produced them ignorant and without the use of

reason, they were not presently under that law; for nobody can be under a law which is not promulgated to him; and this law being promulgated or made known by reason only, he that is not come to the use of his reason cannot be said to be under this law; and Adam's children, being not presently as soon as born under this law of reason, were not presently free: for law, in its true notion, is not so much the limitation, as the direction of a free and intelligent agent to his proper interest, and prescribes no farther than is for the general good of those under that law: could they be happier without it, the law, as an useless thing, would of itself vanish; and that ill deserves the name of confinement which hedges us in only from bogs and precipices. So that, however it may be mistaken, the end of law is not to abolish or restrain, but to preserve and enlarge freedom: for in all the states of created beings capable of laws, "where there is no law, there is no freedom;" for liberty is to be free from restraint and violence from others; which cannot be where there is not law: but freedom is not, as we are told, "a liberty for every man to do what he lists:" (for who could be free, when every other man's humour might domineer over him?) but a liberty to dispose and order as he lists his person, actions, possessions, and his whole property, within the allowance of those laws under which he is, and therein not to be subject to the arbitrary will of another, but freely follow his own.

§ 58. The power, then, that parents have over their children arises from that duty which is incumbent on them, to take care of their offspring during the imperfect state of childhood. To inform the mind, and govern the actions of their yet ignorant nonage, till reason shall take its place, and ease them of that trouble, is what the children want, and the parents are bound to: for God having given man an understanding to direct his actions, has allowed him a freedom of will, and liberty of acting, as properly belonging thereunto, within the bounds of that law he is under. But whilst he is in an estate wherein he has not understanding of

his own to direct his will, he is not to have any will of his own to follow: he that understands for him, must will for him too; he must prescribe to his will, and regulate his actions; but when he comes to the estate that made his father a freeman, the son is a freeman too.

§ 59. This holds in all the laws a man is under, whether natural or civil. Is a man under the law of nature? What made him free of that law? what gave him a free disposing of his property, according to his own will, within the compass of that law? I answer, a state of maturity, wherein he might be supposed capable to know that law, that so he might keep his actions within the bounds of it. When he has acquired that state, he is presumed to know how far that law is to be his guide, and how far he may make use of his freedom, and so comes to have it; till then, somebody else must guide him, who is presumed to know how far the law allows a liberty. If such a state of reason, such an age of discretion made him free, the same shall make his son free too. Is a man under the law of England? What made him free of that law? that is, to have the liberty to dispose of his actions and possessions according to his own will, within the permission of that law? A capacity of knowing that law, which is supposed by that law at the age of one-and-twenty years, and in some cases sooner. If this made the father free, it shall make the son free too. Till then we see the law allows the son to have no will, but he is to be guided by the will of his father or guardian, who is to understand for him. And if the father die, and fail to substitute a deputy in his trust; if he hath not provided a tutor to govern his son during his minority, during his want of understanding, the law takes care to do it; some other must govern him, and be a will to him, till he hath attained to a state of freedom, and his understanding be fit to take the government of his will. But after that, the father and son are equally free as much as tutor and pupil after nonage; equally subjects of the same law together, without any dominion left in the father over the life, liberty, or estate of his son, whether they be only

in the state and under the law of nature, or under the positive laws of an established government.

§ 60. But if, through defects that may happen out of the ordinary course of nature, any one comes not to such a degree of reason wherein he might be supposed capable of knowing the law, and so living within the rules of it, he is never capable of being a free man, he is never let loose to the disposure of his own will, (because he knows no bounds to it, has not understanding, its proper guide) but is continued under the tuition and government of others, all the time his own understanding is incapable of that charge. And so lunatics and idiots are never set free from the government of their parents. "Children, who are not as yet come unto those years whereat they may have; and innocents which are excluded by a natural defect from ever having; thirdly, mad men, which for the present cannot possibly have the use of right reason to guide themselves, have for their guide the reason that guideth other men which are tutors over them, to seek and procure their good for them," says Hooker, Eccl. Pol. lib. i. sect. 7. All which seems no more than that duty which God and nature has laid on man, as well as other creatures, to preserve their offspring till they can be able to shift for themselves, and will scarce amount to an instance or proof of parents' regal authority.

§ 61. Thus we are born free, as we are born rational; not that we have actually the exercise of either: age, that brings one, brings with it the other too. And thus we see how natural freedom and subjection to parents may consist together, and are both founded on the same principle. A child is free by his father's title, by his father's understanding, which is to govern him till he hath it of his own. The freedom of a man at years of discretion, and the subjection of a child to his parents, whilst yet short of that age, are so consistent, and so distinguishable, that the most blinded contenders for monarchy, by right of fatherhood, cannot miss this difference; the most obstinate cannot but allow their consistency: for were their doctrine all true, were the right

heir of Adam now known, and by that title settled a monarch in his throne, invested with all the absolute unlimited power sir Robert Filmer talks of; if he should die as soon as his heir were born, must not the child, notwithstanding he were ever so free, ever so much sovereign, be in subjection to his mother and nurse, to tutors and governors, till age and education brought him reason and ability to govern himself and others? The necessities of his life, the health of his body, and the information of his mind, would require him to be directed by the will of others, and not his own; and yet will any one think that this restraint and subjection were inconsistent with, or spoiled him of that liberty or sovereignty he had a right to, or gave away his empire to those who had the government of his nonage? This government over him only prepared him the better and sooner for it. If any body should ask me, when my son is of age to be free? I shall answer, just when his monarch is of age to govern. "But at what time," says the judicious Hooker, Eccl. Pol. lib. i. sect. 6, "a man may be said to have attained so far forth the use of reason, as sufficeth to make him capable of those laws whereby he is then bound to guide his actions: this is a great deal more easy for sense to discern than for any one by skill and learning to determine."

§ 62. Commonwealths themselves take notice of, and allow, that there is a time when men are to begin to act like freemen, and therefore till that time require not oaths of fealty or allegiance, or other public owning of, or submission to, the government of their countries.

§ 63. The freedom then of man, and liberty of acting according to his own will, is grounded on his having reason, which is able to instruct him in that law he is to govern himself by, and make him know how far he is left to the freedom of his own will. To turn him loose to an unrestrained liberty, before he has reason to guide him, is not the allowing him the privilege of his nature to be free; but to thrust him out amongst brutes, and abandon him to a state as wretched, and as much

beneath that of a man, as theirs. This is that which puts the authority into the parents' hands to govern the minority of their children. God hath made it their business to employ this care on their offspring, and hath placed in them suitable inclinations of tenderness and concern to temper this power, to apply it, as his wisdom designed it, to the children's good, as long as they should need to be under it.

§ 64. But what reason can hence advance this care of the parents due to their offspring into an absolute arbitrary dominion of the father, whose power reaches no farther than, by such a discipline as he finds most effectual, to give such strength and health to their bodies, such vigour and rectitude to their minds, as may best fit his children to be most useful to themselves and others; and, if it be necessary to his condition, to make them work, when they are able, for their own subsistence. But in this power the mother too has her share with the father.

§ 65. Nay, this power so little belongs to the father by any peculiar right of nature, but only as he is guardian of his children, that when he quits his care of them, he loses his power over them, which goes along with their nourishment and education, to which it is inseparably annexed; and it belongs as much to the foster-father of an exposed child, as to the natural father of another. So little power does the bare act of begetting give a man over his issue, if all his care ends there, and this be all the title he hath to the name and authority of a father. And what will become of this paternal power in that part of the world where one woman hath more than one husband at a time? or in those parts of America, where, when the husband and wife part, which happens frequently, the children are all left to the mother, follow her, and are wholly under her care and provision? If the father die whilst the children are young, do they not naturally every where owe the same obedience to their mother, during their minority, as to their father were he alive? and will any one say, that the mother hath a legislative power over her children? that she can make standing rules, which shall be of perpetual

obligation, by which they ought to regulate all the concerns of their property, and bound their liberty all the course of their lives? or can she enforce the observation of them with capital punishments? for this is the proper power of the magistrate, of which the father hath not so much as the shadow. His command over his children is but temporary, and reaches not their life or property: it is but a help to the weakness and imperfection of their nonage, a discipline necessary to their education: and though a father may dispose of his own possessions as he pleases, when his children are out of danger of perishing for want, yet his power extends not to the lives or goods, which either their own industry or another's bounty has made theirs; nor to their liberty neither, when they are once arrived to the enfranchisement of the years of discretion. The father's empire then ceases, and can from thenceforwards no more dispose of the liberty of his son than that of any other man: and it must be far from an absolute or perpetual jurisdiction, from which a man may withdraw himself, having licence from divine authority to "leave father and mother, and cleave to his wife."

§ 66. But though there be a time when a child comes to be as free from subjection to the will and command of his father, as the father himself is free from subjection to the will of any body else, and they are each under no other restraint but that which is common to them both, whether it be the law of nature, or municipal law of their country; yet this freedom exempts not a son from that honour which he ought, by the law of God and nature, to pay his parents. God having made the parents instruments in his great design of continuing the race of mankind, and the occasions of life to their children; as he hath laid on them an obligation to nourish, preserve, and bring up their offspring; so he has laid on the children a perpetual obligation of honouring their parents, which containing in it an inward esteem and reverence to be shown by all outward expressions, ties up the child from any thing that may ever injure or affront, disturb or endanger, the happi-

ness or life of those from whom he received his; and engages him in all actions of defence, relief, assistance, and comfort of those by whose means he entered into being, and has been made capable of any enjoyments of life: from this obligation no state, no freedom, can absolve children. But this is very far from giving parents a power of command over their children, or authority to make laws and dispose as they please of their lives and liberties. It is one thing to owe honour, respect, gratitude, and assistance; another to require an absolute obedience and submission. The honour due to parents, a monarch in his throne owes his mother; and yet this lessens not his authority, nor subjects him to her government.

§ 67. The subjection of a minor, places in the father a temporary government, which terminates with the minority of the child: and the honour due from a child, places in the parents perpetual right to respect, reverence, support, and compliance too, more or less, as the father's care, cost, and kindness in his education, have been more or less. This ends not with minority, but holds in all parts and conditions of a man's life. The want of distinguishing these two powers, viz. that which the father hath in the right of tuition, during minority, and the right of honour all his life, may perhaps have caused a great part of the mistakes about this matter: for, to speak properly of them, the first of these is rather the privilege of children, and duty of parents, than any prerogative of paternal power. The nourishment and education of their children is a charge so incumbent on parents for their children's good, that nothing can absolve them from taking care of it: and though the power of commanding and chastising them go along with it, yet God hath woven into the principles of human nature such a tenderness for their offspring, that there is little fear that parents should use their power with too much rigour; the excess is seldom on the severe side, the strong bias of nature drawing the other way. And therefore God Almighty, when he would express his gentle dealing with

the Israelites, he tells them, that though he chastened them, "he chastened them as a man chastens his son," Deut. viii. 5. *i. e.* with tenderness and affection, and kept them under no severer discipline than what was absolutely best for them, and had been less kindness to have slackened. This is that power to which children are commanded obedience, that the pains and care of their parents may not be increased, or ill rewarded.

§ 68. On the other side, honour and support, all that which gratitude requires to return for the benefits received by and from them, is the indispensable duty of the child, and the proper privilege of the parents. This is intended for the parents' advantage, as the other is for the child's; though education, the parents' duty, seems to have most power, because the ignorance and infirmities of childhood stand in need of restraint and correction; which is a visible exercise of rule, and a kind of dominion. And that duty which is comprehended in the word honour requires less obedience, though the obligation be stronger on grown than younger children: for who can think the command, "Children obey your parents," requires in a man that has children of his own the same submission to his father, as it does in his yet young children to him; and that by this precept he were bound to obey all his father's commands, if, out of a conceit of authority, he should have the indiscretion to treat him still as a boy?

§ 69. The first part then of paternal power, or rather duty, which is education, belongs so to the father, that it terminates at a certain season; when the business of education is over, it ceases of itself, and is also alienable before: for a man may put the tuition of his son in other hands; and he that has made his son an apprentice to another, has discharged him, during that time, of a great part of his obedience both to himself and to his mother. But all the duty of honour, the other part, remains nevertheless entire to them; nothing can cancel that: it is so inseparable from them both, that the father's authority cannot dispossess the mother of this right, nor can any man discharge his son from honouring her that bore him. But both these are very far

from a power to make laws, and enforcing them with penalties that may reach estate, liberty, limbs, and life. The power of commanding ends with nonage; and though after that, honour and respect, support and defence, and whatsoever gratitude can oblige a man to, for the highest benefits he is naturally capable of, be always due from a son to his parents; yet all this puts no sceptre into the father's hand, no sovereign power of commanding. He has no dominion over his son's property, or actions; nor any right that his will should prescribe to his son's in all things; however it may become his son in many things, not very inconvenient to him and his family, to pay a deference to it.

§ 70. A man may owe honour and respect to an ancient or wise man; defence to his child or friend; relief and support to the distressed; and gratitude to a benefactor, to such a degree, that all he has, all he can do, cannot sufficiently pay it: but all these give no authority, no right to any one, of making laws over him from whom they are owing. And it is plain, all this is due not only to the bare title of father; not only because, as has been said, it is owing to the mother too, but because these obligations to parents, and the degrees of what is required of children, may be varied by the different care and kindness, trouble and expense, which are often employed upon one child more than another.

§ 71. This shows the reason how it comes to pass, that parents in societies, where they themselves are subjects, retain a power over their children, and have as much right to their subjection as those who are in the state of nature. Which could not possibly be, if all political power were only paternal, and that in truth they were one and the same thing: for then, all paternal power being in the prince, the subject could naturally have none of it. But these two powers, political and paternal, are so perfectly distinct and separate, are built upon so different foundations, and given to so different ends, that every subject, that is a father, has as much a paternal power over his children as the prince has over his: and every prince, that has parents, owes them as

much filial duty and obedience as the meanest of his subjects do to theirs; and cannot therefore contain any part or degree of that kind of dominion which a prince or magistrate has over his subjects.

§ 72. Though the obligation on the parents to bring up their children, and the obligation on children to honour their parents, contain all the power on the one hand, and submission on the other, which are proper to this relation, yet there is another power ordinary in the father, whereby he has a tie on the obedience of his children; which though it be common to him with other men, yet the occasions of showing it almost constantly happening to fathers in their private families, and the instances of it elsewhere being rare, and less taken notice of, it passes in the world for a part of paternal jurisdiction. And this is the power men generally have to bestow their estates on those who please them best; the possession of the father being the expectation and inheritance of the children, ordinarily in certain proportions, according to the law and custom of each country; yet it is commonly in the father's power to bestow it with a more sparing or liberal hand, according as the behaviour of this or that child hath comported with his will and humour.

§ 73. This is no small tie on the obedience of children: and there being always annexed to the enjoyment of land a submission to the government of the country, of which that land is a part; it has been commonly supposed, that a father could oblige his posterity to that government, of which he himself was a subject, and that his compact held them; whereas, it being only a necessary condition annexed to the land, and the inheritance of an estate which is under that government, reaches only those who will take it on that condition, and so is no natural tie or engagement, but a voluntary submission: for every man's children being by nature as free as himself, or any of his ancestors ever were, may, whilst they are in that freedom, choose what society they will join themselves to, what commonwealth they will put themselves under. But if they will enjoy the inhe-

ritance of their ancestors, they must take it on the same terms their ancestors had it, and submit to all the conditions annexed to such a possession. By this power indeed fathers oblige their children to obedience to themselves, even when they are past minority, and most commonly too subject them to this or that political power: but neither of these by any peculiar right of fatherhood, but by the reward they have in their hands to enforce and recompense such a compliance; and is no more power than what a Frenchman has over an Englishman, who, by the hopes of an estate he will leave him, will certainly have a strong tie on his obedience: and if, when it is left him, he will enjoy it, he must certainly take it upon the conditions annexed to the possession of land in that country where it lies, whether it be France or England.

§ 74. To conclude then, though the father's power of commanding extends no farther than the minority of his children, and to a degree only fit for the discipline and government of that age; and though that honour and respect, and all that which the Latins called piety, which they indispensably owe to their parents all their lifetime, and in all estates, with all that support and defence which is due to them, gives the father no power of governing, *i. e.* making laws and enacting penalties on his children; though by all this he has no dominion over the property or actions of his son: yet it is obvious to conceive how easy it was, in the first ages of the world, and in places still, where the thinness of people gives families leave to separate into unpossessed quarters, and they have room to remove or plant themselves in yet vacant habitations, for the father of the family to become the prince* of it; he had been a ruler

* It is no improbable opinion, therefore, which the arch-philosopher was of, "That the chief person in every household was always, as it were, a king: so when numbers of households joined themselves in civil societies together, kings were the first kind of governors amongst them, which is also, as it seemeth, the reason why the name of fathers continued still in them, who, of fathers, were made rulers; as also the ancient custom of governors to do as Melchizedeck, and being

from the beginning of the infancy of his children: and since without some government it would be hard for them to live together, it was likeliest it should, by the express or tacit consent of the children when they were grown up, be in the father, where it seemed without any change barely to continue; when indeed nothing more was required to it than the permitting the father to exercise alone, in his family, that executive power of the law of nature, which every free man naturally hath, and by that permission resigning up to him a monarchical power, whilst they remained in it. But that this was not by any paternal right, but only by the consent of his children, is evident from hence, that nobody doubts, but if a stranger, whom chance or business had brought to his family, had there killed any of his children, or committed any other fact, he might condemn and put him to death, or otherwise punish him, as well as any of his children: which it was impossible he should do by virtue of any paternal authority over one who was not his child, but by virtue of that executive power of the law of nature, which, as a man, he had a right to: and he alone could punish him in his family, where the respect of his children had laid by the exercise of such a power, to give way to the dignity and authority they were willing should remain in him, above the rest of his family.

§ 75. Thus it was easy, and almost natural for children, by a tacit, and scarce avoidable consent, to make way for the father's authority and government. They had been accustomed in their childhood to follow his direction, and to refer their little differences to him; and when they were men, who fitter to rule them?

kings, to exercise the office of priests, which fathers did at the first, grew perhaps by the same occasion. Howbeit, this is not the only kind of regiment that has been received in the world. The inconveniencies of one kind have caused sundry others to be devised; so that, in a word, all public regiment, of what kind soever, seemeth evidently to have risen from the deliberate advice, consultation, and composition between men, judging it convenient and behoveful; there being no impossibility in nature considered by itself, but that man might have lived without any public regiment." *Hooker*'s Eccl. P. lib. i. sect. 10.

Their little properties, and less covetousness, seldom afforded greater controversies; and when any should arise, where could they have a fitter umpire than he, by whose care they had every one been sustained and brought up, and who had a tenderness for them all? It is no wonder that they made no distinction betwixt minority and full age; nor looked after one-and-twenty, or any other age that might make them the free disposers of themselves and fortunes, when they could have no desire to be out of their pupilage: the government they had been under during it, continued still to be more their protection than restraint: and they could nowhere find a greater security to their peace, liberties, and fortunes, than in the rule of a father.

§ 76. Thus the natural fathers of families by an insensible change became the politic monarchs of them too: and as they chanced to live long, and leave able and worthy heirs, for several successions, or otherwise; so they laid the foundations of hereditary, or elective kingdoms, under several constitutions and manners, according as chance, contrivance, or occasions happened to mould them. But if princes have their titles in their fathers' right, and it be a sufficient proof of the natural right of fathers to political authority, because they commonly were those in whose hands we find, *de facto*, the exercise of government: I say, if this argument be good, it will as strongly prove, that all princes, nay princes only, ought to be priests, since it is as certain, that in the beginning, "the father of the family was priest, as that he was ruler in his own household."

CHAPTER VII.

Of political or civil Society.

§ 77. God having made man such a creature, that in his own judgment it was not good for him to be alone, put him under strong obligations of necessity, convenience, and inclination, to drive him into society, as well as fitted him with understanding and language to continue and enjoy it. The first society was between man and wife, which gave beginning to that between parents and children; to which, in time, that between master and servant came to be added: and though all these might, and commonly did meet together, and make up but one family, wherein the master or mistress of it had some sort of rule proper to a family; each of these, or all together, came short of political society, as we shall see, if we consider the different ends, ties, and bounds of each of these.

§ 78. Conjugal society is made by a voluntary compact between man and woman; and though it consist chiefly in such a communion and right in one another's bodies as is necessary to its chief end, procreation; yet it draws with it mutual support and assistance, and a communion of interests too, as necessary not only to unite their care and affection, but also necessary to their common offspring, who have a right to be nourished and maintained by them, till they are able to provide for themselves.

§ 79. For the end of conjunction between male and female being not barely procreation, but the continuation of the species; this conjunction betwixt male and female ought to last, even after procreation, so long as is necessary to the nourishment and support of the young ones, who are to be sustained by those that got them, till they are able to shift and provide for themselves. This rule, which the infinite wise Maker hath set to

the works of his hands, we find the inferior creatures steadily obey. In those viviparous animals which feed on grass, the conjunction between male and female lasts no longer than the very act of copulation; because the teat of the dam being sufficient to nourish the young, till it be able to feed on grass, the male only begets, but concerns not himself for the female or young, to whose sustenance he can contribute nothing. But in beasts of prey the conjunction lasts longer: because the dam not being able well to subsist herself, and nourish her numerous offspring by her own prey alone, a more laborious, as well as more dangerous way of living, than by feeding on grass; the assistance of the male is necessary to the maintenance of their common family, which cannot subsist till they are able to prey for themselves, but by the joint care of male and female. The same is to be observed in all birds, (except some domestic ones, where plenty of food excuses the cock from feeding, and taking care of the young brood) whose young needing food in the nest, the cock and hen continue mates, till the young are able to use their wing, and provide for themselves.

§ 80. And herein I think lies the chief, if not the only reason, "why the male and female in mankind are tied to a longer conjunction" than other creatures, viz. because the female is capable of conceiving, and *de facto* is commonly with child again, and brings forth too a new birth, long before the former is out of a dependency for support on his parents' help, and able to shift for himself, and has all the assistance that is due to him from his parents: whereby the father, who is bound to take care for those he hath begot, is under an obligation to continue in conjugal society with the same woman longer than other creatures, whose young being able to subsist of themselves before the time of procreation returns again, the conjugal bond dissolves of itself, and they are at liberty, till Hymen at his usual anniversary season summons them again to choose new mates. Wherein one cannot but admire the wisdom of the great Creator, who having given to man foresight, and an ability to lay up for the future, as well as to supply the

present necessity, hath made it necessary, that society of man and wife should be more lasting than of male and female amongst other creatures; that so their industry might be encouraged, and their interest better united, to make provision and lay up goods for their common issue, which uncertain mixture, or easy and frequent solutions of conjugal society, would mightily disturb.

§ 81. But though these are ties upon mankind, which make the conjugal bonds more firm and lasting in man than the other species of animals; yet it would give one reason to inquire, why this compact, where procreation and education are secured, and inheritance taken care for, may not be made determinable, either by consent, or at a certain time, or upon certain conditions, as well as any other voluntary compacts, there being no necessity in the nature of the thing, nor to the ends of it, that it should always be for life; I mean, to such as are under no restraint of any positive law, which ordains all such contracts to be perpetual.

§ 82. But the husband and wife, though they have but one common concern, yet having different understandings, will unavoidably sometimes have different wills too; it therefore being necessary that the last determination, *i. e.* the rule, should be placed somewhere; it naturally falls to the man's share, as the abler and the stronger. But this reaching but to the things of their common interest and property, leaves the wife in the full and free possession of what by contract is her peculiar right, and gives the husband no more power over her life than she has over his; the power of the husband being so far from that of an absolute monarch, that the wife has in many cases a liberty to separate from him, where natural right or their contract allows it; whether that contract be made by themselves in the state of nature, or by the customs or laws of the country they live in; and the children upon such separation fall to the father's or mother's lot, as such contract does determine.

§ 83. For all the ends of marriage being to be obtained under politic government, as well as in the state

of nature, the civil magistrate doth not abridge the right or power of either naturally necessary to those ends, viz. procreation and mutual support and assistance whilst they are together; but only decides any controversy that may arise between man and wife about them. If it were otherwise, and that absolute sovereignty and power of life and death naturally belonged to the husband, and were necessary to the society between man and wife, there could be no matrimony in any of those countries where the husband is allowed no such absolute authority. But the ends of matrimony requiring no such power in the husband, the condition of conjugal society put it not in him, it being not at all necessary to that state. Conjugal society could subsist and attain its ends without it; nay, community of goods, and the power over them, mutual assistance and maintenance, and other things belonging to conjugal society, might be varied and regulated by that contract which unites man and wife in that society, as far as may consist with procreation and the bringing up of children till they could shift for themselves; nothing being necessary to any society, that is not necessary to the ends for which it is made.

§ 84. The society betwixt parents and children, and the distinct rights and powers belonging respectively to them, I have treated of so largely, in the foregoing chapter, that I shall not here need to say any thing of it. And I think it is plain, that it is far different from a politic society.

§ 85. Master and servant are names as old as history, but given to those of far different condition; for a freeman makes himself a servant to another, by selling him, for a certain time, the service he undertakes to do, in exchange for wages he is to receive: and though this commonly puts him into the family of his master, and under the ordinary discipline thereof: yet it gives the master but a temporary power over him, and no greater than what is contained in the contract between them. But there is another sort of servants, which by a peculiar name we call slaves, who being captives taken in a just war, are by the right of nature subjected to the

absolute dominion and arbitrary power of their masters. These men having, as I say, forfeited their lives, and with it their liberties, and lost their estates; and being in the state of slavery, not capable of any property; cannot in that state be considered as any part of civil society; the chief end whereof is the preservation of property.

§ 86. Let us therefore consider a master of a family with all these subordinate relations of wife, children, servants, and slaves, united under the domestic rule of a family; which, what resemblance soever it may have in its order, offices, and number too, with a little commonwealth, yet is very far from it, both in its constitution, power, and end: or if it must be thought a monarchy, and the pater-familias the absolute monarch in it, absolute monarchy will have but a very shattered and short power, when it is plain, by what has been said before, that the master of the family has a very distinct and differently limited power, both as to time and extent, over those several persons that are in it: for excepting the slave (and the family is as much a family, and his power as pater-familias as great, whether there be any slaves in his family or no), he has no legislative power of life and death over any of them, and none too but what a mistress of a family may have as well as he. And he certainly can have no absolute power over the whole family, who has but a very limited one over every individual in it. But how a family, or any other society of men, differ from that which is properly political society, we shall best see by considering wherein political society itself consists.

§ 87. Man being born, as has been proved, with a title to perfect freedom, and uncontrolled enjoyment of all the rights and privileges of the law of nature, equally with any other man, or number of men in the world, hath by nature a power, not only to preserve his property, that is, his life, liberty, and estate, against the injuries and attempts of other men; but to judge of and punish the breaches of that law in others, as he is persuaded the offence deserves, even with death itself, in crimes where the heinousness of the fact, in his opi-

nion, requires it. But because no political society can be, nor subsist, without having in itself the power to preserve the property, and, in order thereunto, punish the offences of all those of that society; there, and there only is political society, where every one of the members hath quitted this natural power, resigned it up into the hands of the community in all cases that exclude him not from appealing for protection to the law established by it. And thus all private judgment of every particular member being excluded, the community comes to be umpire, by settled standing rules, indifferent, and the same to all parties; and by men having authority from the community, for the execution of those rules, decides all the differences that may happen between any members of that society concerning any matter of right; and punishes those offences which any member hath committed against the society, with such penalties as the law has established: whereby it is easy to discern who are, and who are not, in political society together. Those who are united into one body, and have a common established law and judicature to appeal to, with authority to decide controversies between them, and punish offenders, are in civil society one with another: but those who have no such common appeal, I mean on earth, are still in the state of nature, each being, where there is no other, judge for himself, and executioner: which is, as I have before showed it, the perfect state of nature.

§ 88. And thus the commonwealth comes by a power to set down what punishment shall belong to the several transgressions which they think worthy of it, committed amongst the members of that society, (which is the power of making laws) as well as it has the power to punish any injury done unto any of its members, by any one that is not of it, (which is the power of war and peace:) and all this for the preservation of the property of all the members of that society, as far as is possible. But though every man who has entered into civil society, and is become a member of any commonwealth, has thereby quitted his power to punish offences against the law of nature, in prosecution of his own

private judgment; yet with the judgment of offences, which he has given up to the legislative in all cases, where he can appeal to the magistrate, he has given a right to the commonwealth to employ his force, for the execution of the judgments of the commonwealth, whenever he shall be called to it; which indeed are his own judgments, they being made by himself, or his representative. And herein we have the original of the legislative and executive power of civil society, which is to judge by standing laws, how far offences are to be punished, when committed within the commonwealth; and also to determine, by occasional judgments founded on the present circumstances of the fact, how far injuries from without are to be vindicated; and in both these to employ all the force of all the members, when there shall be need.

§ 89. Whenever therefore any number of men are so united into one society, as to quit every one his executive power of the law of nature, and to resign it to the public, there and there only is a political or civil society. And this is done, wherever any number of men, in the state of nature, enter into society to make one people, one body politic, under one supreme government; or else when any one joins himself to, and incorporates with any government already made: for hereby he authorizes the society, or, which is all one, the legislative thereof, to make laws for him, as the public good of the society shall require; to the execution whereof, his own assistance (as to his own degrees) is due. And this puts men out of a state of nature into that of a commonwealth, by setting up a judge on earth, with authority to determine all the controversies, and redress the injuries that may happen to any member of the commonwealth; which judge is the legislative, or magistrate appointed by it. And wherever there are any number of men, however associated, that have no such decisive power to appeal to, there they are still in the state of nature.

§ 90. Hence it is evident, that absolute monarchy, which by some men is counted the only government in

the world, is indeed inconsistent with civil society, and so can be no form of civil government at all: for the end of civil society being to avoid and remedy those inconveniencies of the state of nature which necessarily follow from every man being judge in his own case, by setting up a known authority, to which every one of that society may appeal upon any injury received, or controversy that may arise, and which every one of the society * ought to obey; wherever any persons are, who have not such an authority to appeal to, for the decision of any difference between them, there those persons are still in the state of nature; and so is every absolute prince, in respect of those who are under his dominion.

§ 91. For he being supposed to have all, both legislative and executive power in himself alone, there is no judge to be found, no appeal lies open to any one, who may fairly, and indifferently, and with authority decide, and from whose decision relief and redress may be expected of any injury or inconveniency, that may be suffered from the prince, or by his order: so that such a man, however entitled, czar, or grand seignior, or how you please, is as much in the state of nature, with all under his dominion, as he is with the rest of mankind: for wherever any two men are, who have no standing rule, and common judge to appeal to on earth, for the determination of controversies of right betwixt them, there they are still in the state of nature †, and

* "The public power of all society is above every soul contained in the same society; and the principal use of that power is, to give laws unto all that are under it, which laws in such cases we must obey, unless there be reason showed which may necessarily inforce, that the law of reason, or of God, doth enjoin the contrary."—*Hook.* Eccl. Pol. l. i. sect. 16.

† "To take away all such mutual grievances, injuries, and wrongs," *i. e.* such as attend men in the state of nature, "there was no way but only by growing into composition and agreement amongst themselves by ordaining some kind of government public, and by yielding themselves subject thereunto, that unto whom they granted authority to rule and govern, by them the peace, tranquillity, and happy state of the rest might be procured. Men always knew that where force and injury was offered, they might be defenders of themselves; they knew that however men may seek their own commodity, yet if

under all the inconveniencies of it, with only this woful difference to the subject, or rather slave of an absolute prince: that whereas in the ordinary state of nature he has a liberty to judge of his right, and, according to the best of his power, to maintain it; now, whenever his property is invaded by the will and order of his monarch, he has not only no appeal, as those in society ought to have, but, as if he were degraded from the common state of rational creatures, is denied a liberty to judge of, or to defend his right: and so is exposed to all the misery and inconveniencies, that a man can fear from one, who being in the unrestrained state of nature, is yet corrupted with flattery, and armed with power.

§ 92. For he that thinks absolute power purifies men's blood, and corrects the baseness of human nature, need read but the history of this, or any other age, to be convinced of the contrary. He that would have been insolent and injurious in the woods of America, would not probably be much better in a throne; where perhaps learning and religion shall be found out to justify all that he shall do to his subjects, and the sword presently silence all those that dare question it: for what the protection of absolute monarchy is, what kind of fathers of their countries it makes princes to be, and to what a degree of happiness and security it carries civil society, where this sort of government is grown to perfection; he that will look into the late relation of Ceylon may easily see.

§ 93. In absolute monarchies indeed, as well as other governments of the world, the subjects have an appeal

this were done with injury unto others, it was not to be suffered, but by all men, and all good means, to be withstood. Finally, they knew that no man might in reason take upon him to determine his own right, and according to his own determination proceed in maintenance thereof, inasmuch as every man is towards himself, and them whom he greatly affects, partial; and therefore that strifes and troubles would be endless, except they gave their common consent, all to be ordered by some, whom they should agree upon, without which consent there would be no reason that one man should take upon him to be lord or judge over another." *Hooker*'s Eccl. Pol. l. i. sect. 10.

to the law, and judges to decide any controversies, and restrain any violence that may happen betwixt the subjects themselves, one amongst another. This every one thinks necessary, and believes he deserves to be thought a declared enemy to society and mankind who should go about to take it away. But whether this be from a true love of mankind and society, and such a charity as we all owe one to another, there is reason to doubt: for this is no more than what every man, who loves his own power, profit, or greatness, may and naturally must do, keep those animals from hurting or destroying one another, who labour and drudge only for his pleasure and advantage; and so are taken care of, not out of any love the master has for them, but love of himself, and the profit they bring him: for if it be asked, what security, what fence is there, in such a state, against the violence and oppression of this absolute ruler? the very question can scarce be borne. They are ready to tell you, that it deserves death only to ask after safety. Betwixt subject and subject, they will grant, there must be measures, laws, and judges, for their mutual peace and security: but as for the ruler, he ought to be absolute, and is above all such circumstances; because he has power to do more hurt and wrong, it is right when he does it. To ask how you may be guarded from harm, or injury, on that side where the strongest hand is to do it, is presently the voice of faction and rebellion: as if when men quitting the state of nature entered into society, they agreed that all of them but one should be under the restraint of laws, but that he should still retain all the liberty of the state of nature, increased with power, and made licentious by impunity. This is to think, that men are so foolish, that they take care to avoid what mischiefs may be done them by pole-cats, or foxes; but are content, nay think it safety, to be devoured by lions.

§ 94. But whatever flatterers may talk to amuse people's understandings, it hinders not men from feeling; and when they perceive that any man, in what station soever, is out of the bounds of the civil society which they are of, and that they have no appeal on earth

against any harm they may receive from him, they are apt to think themselves in the state of nature in respect of him whom they find to be so; and to take care, as soon as they can, to have that safety and security in civil society for which it was instituted, and for which only they entered into it. And therefore, though perhaps at first (as shall be showed more at large hereafter in the following part of this discourse), some one good and excellent man having got a pre-eminency amongst the rest, had this deference paid to his goodness and virtue, as to a kind of natural authority, that the chief rule, with arbitration of their differences, by a tacit consent devolved into his hands, without any other caution but the assurance they had of his uprightness and wisdom; yet when time, giving authority, and (as some men would persuade us) sacredness to customs, which the negligent and unforeseeing innocence of the first ages began, had brought in successors of another stamp; the people finding their properties not secure under the government as then it was (whereas government has no other end but the preservation of *property), could never be safe nor at rest, nor think themselves in civil society, till the legislature was placed in collective bodies of men, call them senate, parliament, or what you please. By which means every single person became subject, equally with other the meanest men, to those laws which he himself, as part of the legislative, had established; nor could any one, by his own authority, avoid the force of the law when once made; nor by any pretence of superiority plead exemption, thereby to license his own, or the miscarriages of any of his de-

* "At the first, when some certain kind of regiment was once appointed, it may be that nothing was then farther thought upon for the manner of governing, but all permitted unto their wisdom and discretion, which were to rule, till by experience they found this for all parts very inconvenient, so as the thing which they had devised for a remedy did indeed but increase the sore which it should have cured. They saw that to live by one man's will became the cause of all men's misery. This constrained them to come into laws, wherein all men might see their duty beforehand, and know the penalties of transgressing them." *Hooker*'s Eccl. Pol. l. i. sect. 10.

pendents. *"No man in civil society can be exempted from the laws of it:" for if any man may do what he thinks fit, and there be no appeal on earth, for redress or security against any harm he shall do; I ask, whether he be not perfectly still in the state of nature, and so can be no part or member of that civil society; unless any one will say the state of nature and civil society are one and the same thing, which I have never yet found any one so great a patron of anarchy as to affirm.

CHAPTER VIII.

Of the Beginning of Political Societies.

§ 95. MEN being, as has been said, by nature all free, equal, and independent, no one can be put out of this estate, and subjected to the political power of another, without his own consent. The only way whereby any one divests himself of his natural liberty, and puts on the bonds of civil society, is by agreeing with other men to join and unite into a community, for their comfortable, safe, and peaceable living one amongst another, in a secure enjoyment of their properties, and a greater security against any that are not of it. This any number of men may do, because it injures not the freedom of the rest; they are left as they were in the liberty of the state of nature. When any number of men have so consented to make one community or government, they are thereby presently incorporated, and make one body politic, wherein the majority have a right to act and conclude the rest.

* "Civil law, being the act of the whole body politic, doth therefore overrule each several part of the same body." *Hooker's* Eccl. Pol. l. i. sect. 10.

§ 96. For when any number of men have, by the consent of every individual, made a community, they have thereby made that community one body, with a power to act as one body, which is only by the will and determination of the majority; for that which acts any community being only the consent of the individuals of it, and it being necessary to that which is one body to move one way; it is necessary the body should move that way whither the greater force carries it, which is the consent of the majority: or else it is impossible it should act or continue one body, one community, which the consent of every individual that united into it agreed that it should; and so every one is bound by that consent to be concluded by the majority. And therefore we see that in assemblies, empowered to act by positive laws, where no number is set by that positive law which empowers them, the act of the majority passes for the act of the whole, and of course determines; as having, by the law of nature and reason, the power of the whole.

§ 97. And thus every man, by consenting with others to make one body politic under one government, puts himself under an obligation to every one of that society to submit to the determination of the majority, and to be concluded by it; or else this original compact, whereby he with others incorporate into one society, would signify nothing, and be no compact, if he be left free, and under no other ties than he was in before in the state of nature. For what appearance would there be of any compact? what new engagement, if he were no farther tied by any decrees of the society than he himself thought fit, and did actually consent to? This would be still as great a liberty as he himself had before his compact, or any one else in the state of nature hath, who may submit himself and consent to any acts of it if he thinks fit.

§ 98. For if the consent of the majority shall not, in reason, be received as the act of the whole, and conclude every individual, nothing but the consent of every individual can make any thing to be the act of the whole: but such a consent is next to impossible ever to be had,

if we consider the infirmities of health, and avocations of business, which in a number, though much less than that of a commonwealth, will necessarily keep many away from the public assembly. To which if we add the variety of opinions, and contrariety of interests which unavoidably happen in all collections of men, the coming into society upon such terms would be only like Cato's coming into the theatre, only to go out again. Such a constitution as this would make the mighty leviathan of a shorter duration than the feeblest creatures, and not let it outlast the day it was born in: which cannot be supposed, till we can think that rational creatures should desire and constitute societies only to be dissolved: for where the majority cannot conclude the rest, there they cannot act as one body, and consequently will be immediately dissolved again.

§ 99. Whosoever therefore out of a state of nature unite into a community, must be understood to give up all the power necessary to the ends for which they unite into society, to the majority of the community, unless they expressly agreed in any number greater than the majority. And this is done by barely agreeing to unite into one political society, which is all the compact that is, or needs be, between the individuals that enter into, or make up a commonwealth. And thus that which begins and actually constitutes any political society, is nothing but the consent of any number of freemen capable of a majority, to unite and incorporate into such a society. And this is that, and that only, which did or could give beginning to any lawful government in the world.

§ 100. To this I find two objections made.

First, "That there are no instances to be found in story, of a company of men independent and equal one amongst another, that met together, and in this way began and set up a government."

Secondly, "It is impossible of right, that men should do so, because all men being born under government, they are to submit to that, and are not at liberty to begin a new one."

§ 101. To the first there is this to answer, that it

is not at all to be wondered, that history gives us but a very little account of men that lived together in the state of nature. The inconveniencies of that condition, and the love and want of society, no sooner brought any number of them together, but they presently united and incorporated, if they designed to continue together. And if we may not suppose men ever to have been in the state of nature, because we hear not much of them in such a state, we may as well suppose the armies of Salmanasser or Xerxes were never children, because we hear little of them till they were men, and embodied in armies. Government is every where antecedent to records, and letters seldom come in amongst a people till a long continuation of civil society has, by other more necessary arts, provided for their safety, ease, and plenty: and then they begin to look after the history of their founders, and search into their original, when they have outlived the memory of it: for it is with commonwealths as with particular persons, they are commonly ignorant of their own births and infancies: and if they know any thing of their original, they are beholden for it to the accidental records that others have kept of it. And those that we have of the beginning of any politics in the world, excepting that of the Jews, where God himself immediately interposed, and which favours not at all paternal dominion, are all either plain instances of such a beginning as I have mentioned, or at least have manifest footsteps of it.

§ 102. He must show a strange inclination to deny evident matter of fact, when it agrees not with his hypothesis, who will not allow, that the beginnings of Rome and Venice were by the uniting together of several men free and independent one of another, amongst whom there was no natural superiority or subjection. And if Josephus Acosta's word may be taken, he tells us, that in many parts of America there was no government at all. "There are great and apparent conjectures," says he, "that these men, speaking of those of Peru, for a long time had neither kings nor commonwealths, but lived in troops, as they do this day in

Florida, the Cheriquanas, those of Brasil, and many other nations, which have no certain kings, but as occasion is offered, in peace or war, they choose their captains as they please," l. i. c. 25. If it be said that every man there was born subject to his father, or the head of his family; that the subjection due from a child to a father took not away his freedom of uniting into what political society he thought fit, has been already proved. But be that as it will, these men, it is evident, were actually free; and whatever superiority some politicians now would place in any of them, they themselves claimed it not, but by consent were all equal, till by the same consent they set rulers over themselves. So that their politic societies all began from a voluntary union, and the mutual agreement of men freely acting in the choice of their governors and forms of government.

§ 103. And I hope those who went away from Sparta with Palantus, mentioned by Justin, l. iii. c. 4, will be allowed to have been freemen, independent one of another, and to have set up a government over themselves, by their own consent. Thus I have given several examples out of history, of people free and in the state of nature, that being met together incorporated and began a commonwealth. And if the want of such instances be an argument to prove that governments were not, nor could not be so begun, I suppose the contenders for paternal empire were better let it alone than urge it against natural liberty: for if they can give so many instances out of history, of governments begun upon paternal right, I think (though at best an argument from what has been, to what should of right be, has no great force) one might, without any great danger, yield them the cause. But if I might advise them in the case, they would do well not to search too much into the original of governments, as they have begun *de facto;* lest they should find, at the foundation of most of them, something very little favourable to the design they promote, and such a power as they contend for.

§ 104. But to conclude, reason being plain on our side, that men are naturally free, and the examples of history showing, that the governments of the world, that were begun in peace, had their beginning laid on that foundation, and were made by the consent of the people; there can be little room for doubt, either where the right is, or what has been the opinion or practice of mankind about the first erecting of governments.

§ 105. I will not deny that if we look back as far as history will direct us, towards the original of commonwealths, we shall generally find them under the government and administration of one man. And I am also apt to believe, that where a family was numerous enough to subsist by itself, and continued entire together, without mixing with others, as it often happens, where there is much land and few people, the government commonly began in the father: for the father having, by the law of nature, the same power with every man else to punish, as he thought fit, any offences against that law, might thereby punish his transgressing children, even when they were men, and out of their pupilage; and they were very likely to submit to his punishment, and all join with him against the offender in their turns, giving him thereby power to execute his sentence against any transgression, and so in effect make him the law-maker and governor over all that remained in conjunction with his family. He was fittest to be trusted; paternal affection secured their property and interest under his care; and the custom of obeying him in their childhood, made it easier to submit to him rather than to any other. If, therefore, they must have one to rule them, as government is hardly to be avoided amongst men that live together, who so likely to be the man as he that was their common father, unless negligence, cruelty, or any other defect of mind or body made him unfit for it? But when either the father died, and left his next heir, for want of age, wisdom, courage, or any other qualities, less fit for rule, or where several families met and consented to continue together,

there, it is not to be doubted, but they used their natural freedom to set up him whom they judged the ablest, and most likely to rule well over them. Conformable hereunto, we find the people of America, who (living out of the reach of the conquering swords and spreading domination of the two great empires of Peru and Mexico, enjoyed their own natural freedom, though, *cæteris paribus*, they commonly prefer the heir of their deceased king; yet if they find him any way weak or incapable, they pass him by, and set up the stoutest and bravest man for their ruler.

§ 106. Thus, though looking back as far as records give us any account of peopling the world, and the history of nations, we commonly find the government to be in one hand; yet it destroys not that which I affirm, viz. that the beginning of politic society depends upon the consent of the individuals, to join into, and make one society; who, when they are thus incorporated, might set up what form of government they thought fit. But this having given occasion to men to mistake, and think that by nature government was monarchical, and belonged to the father; it may not be amiss here to consider, why people in the beginning generally pitched upon this form: which though perhaps the father's pre-eminency might, in the first institution of some commonwealth, give a rise to, and place in the beginning the power in one hand; yet it is plain that the reason that continued the form of government in a single person, was not any regard or respect to paternal authority; since all petty monarchies, that is, almost all monarchies, near their original, have been commonly, at least upon occasion, elective.

§ 107. First then, in the beginning of things, the father's government of the childhood of those sprung from him, having accustomed them to the rule of one man, and taught them that where it was exercised with care and skill, with affection and love to those under it, it was sufficient to procure and preserve to men all the political happiness they sought for in society; it was no wonder that they should pitch upon, and naturally

run into that form of government, which from their infancy they had been all accustomed to; and which, by experience, they had found both easy and safe. To which, if we add, that monarchy being simple, and most obvious to men, whom neither experience had instructed in forms of government, nor the ambition or insolence of empire had taught to beware of the encroachments of prerogative, or the inconveniencies of absolute power, which monarchy in succession was apt to lay claim to, and bring upon them; it was not at all strange that they should not much trouble themselves to think of methods of restraining any exorbitancies of those to whom they had given the authority over them, and of balancing the power of government, by placing several parts of it in different hands. They had neither felt the oppression of tyrannical dominion, nor did the fashion of the age, nor their possessions, or way of living (which afforded little matter for covetousness or ambition), give them any reason to apprehend or provide against it; and therefore it is no wonder they put themselves into such a frame of government, as was not only, as I said, most obvious and simple, but also best suited to their present state and condition, which stood more in need of defence against foreign invasions and injuries, than of multiplicity of laws. The equality of a simple poor way of living, confining their desires within the narrow bounds of each man's small property, made few controversies, and so no need of many laws to decide them, or variety of officers to superintend the process, or look after the execution of justice, where there were but few trespasses, and few offenders. Since then those who liked one another so well as to join into society, cannot but be supposed to have some acquaintance and friendship together, and some trust one in another; they could not but have greater apprehensions of others than of one another: and therefore their first care and thought cannot but be supposed to be, how to secure themselves against foreign force. It was natural for them to put themselves under a frame of government which might best serve to that end, and choose the wisest and bravest

man to conduct them in their wars, and lead them out against their enemies, and in this chiefly be their ruler.

§ 108. Thus we see that the kings of the Indians in America, which is still a pattern of the first ages in Asia and Europe, whilst the inhabitants were too few for the country, and want of people and money gave men no temptation to enlarge their possessions of land, or contest for wider extent of ground, are little more than generals of their armies; and though they command absolutely in war, yet at home and in time of peace they exercise very little dominion, and have but a very moderate sovereignty; the resolutions of peace and war being ordinarily either in the people, or in a council. Though the war itself, which admits not of plurality of governors, naturally devolves the command into the king's sole authority.

§ 109. And thus, in Israel itself, the chief business of their judges and first kings, seems to have been to be captains in war, and leaders of their armies; which (besides what is signified by "going out and in before the people," which was to march forth to war, and home again at the heads of their forces) appears plainly in the story of Jephthah. The Ammonites making war upon Israel, the Gileadites in fear send to Jephthah, a bastard of their family whom they had cast off, and article with him, if he will assist them against the Ammonites, to make him their ruler; which they do in these words, "And the people made him head and captain over them," Judg. xi. 11. which was, as it seems, all one as to be judge. "And he judged Israel," Judg. xii. 7, that is, was their captain-general, "six years." So when Jotham upbraids the Shechemites with the obligation they had to Gideon, who had been their judge and ruler, he tells them, "He fought for you, and adventured his life far, and delivered you out of the hands of Midian," Judg. ix. 17. Nothing is mentioned of him but what he did as a general: and indeed that is all is found in his history, or in any of the rest of the judges. And Abimelech parti-

cularly is called king, though at most he was but their general. And when, being weary of the ill conduct of Samuel's sons, the children of Israel desired a king, "like all the nations, to judge them, and to go out before them, and to fight their battles," 1 Sam. viii. 20, God, granting their desire, says to Samuel, "I will send thee a man, and thou shalt anoint him to be captain over my people Israel, that he may save my people out of the hands of the Philistines," ix. 16. As if the only business of a king had been to lead out their armies, and fight in their defence; and accordingly Samuel, at his inauguration, pouring a vial of oil upon him, declares to Saul, that "the Lord had anointed him to be captain over his inheritance," x. 1. And therefore those who, after Saul's being solemnly chosen and saluted king by the tribes of Mispeh, were unwilling to have him their king, made no other objection but this, "How shall this man save us?" v. 27; as if they should have said, this man is unfit to be our king, not having skill and conduct enough in war to be able to defend us. And when God resolved to transfer the government to David, it is in these words, "But now thy kingdom shall not continue: the Lord hath sought him a man after his own heart, and the Lord hath commanded him to be captain over his people," xiii. 14. As if the whole kingly authority were nothing else but to be their general: and therefore the tribes who had stuck to Saul's family, and opposed David's reign, when they came to Hebron with terms of submission to him, they tell him, amongst other arguments they had to submit to him as to their king, that he was in effect their king in Saul's time, and therefore they had no reason but to receive him as their king now. "Also (say they) in time past, when Saul was king over us, thou wast he that leddest out and broughtest in Israel, and the Lord said unto thee, Thou shalt feed my people Israel, and thou shalt be a captain over Israel."

§ 110. Thus, whether a family by degrees grew up into a commonwealth, and the fatherly authority being continued on to the elder son, every one in his turn

growing up under it, tacitly submitted to it; and the easiness and equality of it not offending any one, every one acquiesced, till time seemed to have confirmed it, and settled a right of succession by prescription: or whether several families, or the descendants of several families, whom chance, neighbourhood, or business brought together, uniting into society: the need of a general, whose conduct might defend them against their enemies in war, and the great confidence the innocence and sincerity of that poor but virtuous age, (such as are almost all those which begin governments, that ever come to last in the world) gave men of one another, made the first beginners of commonwealths generally put the rule into one man's hand, without any other express limitation or restraint, but what the nature of the thing and the end of government required: whichever of those it was that at first put the rule into the hands of a single person, certain it is that nobody was intrusted with it but for the public good and safety, and to those ends, in the infancies of commonwealths, those who had it, commonly used it. And unless they had done so, young societies could not have subsisted; without such nursing fathers, tender and careful of the public weal, all governments would have sunk under the weakness and infirmities of their infancy, and the prince and the people had soon perished together.

§ 111. But though the golden age (before vain ambition, and *amor sceleratus habendi,* evil concupiscence, had corrupted men's minds into a mistake of true power and honour) had more virtue, and consequently better governors, as well as less vicious subjects; and there was then no stretching prerogative on the one side, to oppress the people; nor consequently on the other, any dispute about privilege, to lessen or restrain the power of the magistrate; and so no contest betwixt rulers any people about governors or government: yet, when ambition and luxury in future ages* would retain and increase the power, without doing the

* "At first, when some certain kind of regiment was once approved, it may be nothing was then farther thought upon for the

business for which it was given; and, aided by flattery, taught princes to have distinct and separate interests from their people; men found it necessary to examine more carefully the original and rights of government, and to find out ways to restrain the exorbitancies, and prevent the abuses of that power, which they having intrusted in another's hands only for their own good, they found was made use of to hurt them.

§ 112. Thus we may see how probable it is, that people that were naturally free, and by their own consent either submitted to the government of their father, or united together out of different families to make a government, should generally put the rule into one man's hands, and choose to be under the conduct of a single person, without so much as by express conditions limiting or regulating his power, which they thought safe enough in his honesty and prudence: though they never dreamed of monarchy being *jure divino*, which we never heard of among mankind, till it was revealed to us by the divinity of this last age; nor ever allowed paternal power to have a right to dominion, or to be the foundation of all government. And thus much may suffice to show, that, as far as we have any light from history, we have reason to conclude, that all peaceful beginnings of government have been laid in the consent of the people. I say peaceful, because I shall have occasion in another place to speak of conquest, which some esteem a way of beginning of governments.

The other objection I find urged against the beginning of politics, in the way I have mentioned, is this, viz.

manner of governing, but all permitted unto their wisdom and discretion which were to rule, till by experience they found this for all parts very inconvenient, so as the thing which they had devised for a remedy, did indeed but increase the sore which it should have cured. They saw, that to live by one man's will, became the cause of all men's misery. This constrained them to come unto laws wherein all men might see their duty beforehand, and know the penalties of transgressing them." Hooker's Eccl. Pol. l. i. sect. 10.

§ 113. "That all men being born under government, some or other, it is impossible any of them should ever be free, and at liberty to unite together, and begin a new one, or ever be able to erect a lawful government."

If this argument be good, I ask, how came so many lawful monarchies into the world? for if any body, upon this supposition, can show me any one man in any age of the world free to begin a lawful monarchy, I will be bound to show him ten other free men at liberty at the same time to unite and begin a new government under a regal, or any other form; it being demonstration, that if any one, born under the dominion of another, may be so free as to have a right to command others in a new and distinct empire, every one that is born under the dominion of another may be so free too, and may become a ruler, or subject of a distinct separate government. And so by this their own principle, either all men, however born, are free, or else there is but one lawful prince, one lawful government in the world. And then they have nothing to do, but barely to show us which that is; which when they have done, I doubt not but all mankind will easily agree to pay obedience to him.

§ 114. Though it be a sufficient answer to their objection, to show that it involves them in the same difficulties that it doth those they use it against; yet I shall endeavour to discover the weakness of this argument a little farther.

"All men, say they, are born under government, and therefore they cannot be at liberty to begin a new one. Every one is born a subject to his father, or his prince, and is therefore under the perpetual tie of subjection and allegiance." It is plain mankind never owned nor considered any such natural subjection that they were born in, to one or to the other, that tied them, without their own consents, to a subjection to them and their heirs.

§ 115. For there are no examples so frequent in history, both sacred and profane, as those of men withdrawing themselves, and their obedience, from the ju-

risdiction they were born under, and the family or community they were bred up in, and setting up new governments in other places; from whence sprang all that number of petty commonwealths in the beginning of ages, and which always multiplied as long as there was room enough, till the stronger, or more fortunate, swallowed the weaker; and those great ones again breaking to pieces, dissolved into lesser dominions. All which are so many testimonies against paternal sovereignty, and plainly prove that it was not the natural right of the father descending to his heirs, that made governments in the beginning, since it was impossible, upon that ground, there should have been so many little kingdoms; all must have been but only one universal monarchy, if men had not been at liberty to separate themselves from their families and the government, be it what it will, that was set up in it, and go and make distinct commonwealths and other governments, as they thought fit.

§ 116. This has been the practice of the world from its first beginning to this day; nor is it now any more hinderance to the freedom of mankind, that they are born under constituted and ancient polities, that have established laws and set forms of government, than if they were born in the woods, amongst the unconfined inhabitants that run loose in them: for those who would persuade us, that "by being born under any government, we are naturally subjects to it," and have no more any title or pretence to the freedom of the state of nature; have no other reason (bating that of paternal power, which we have already answered) to produce for it, but only because our fathers or progenitors passed away their natural liberty, and thereby bound up themselves and their posterity to a perpetual subjection to the government which they themselves submitted to. It is true, that whatever engagement or promises any one has made for himself, he is under the obligation of them, but cannot, by any compact whatsoever, bind his children or posterity: for his son, when a man, being altogether as free as the father, any "act of the father can

no more give away the liberty of the son," than it can of any body else: he may indeed annex such conditions to the land he enjoyed as a subject of any commonwealth, as may oblige his son to be of that community, if he will enjoy those possessions which were his father's; because that estate being his father's property; he may dispose or settle it as he pleases.

§ 117. And this has generally given the occasion to mistake in this matter; because commonwealths not permitting any part of their dominions to be dismembered, nor to be enjoyed by any but those of their community, the son cannot ordinarily enjoy the possessions of his father, but under the same terms his father did, by becoming a member of the society; whereby he puts himself presently under the government he finds there established, as much as any other subject of that commonwealth. And thus "the consent of freemen, born under government, which only makes them members of it," being given separately in their turns, as each comes to be of age, and not in a multitude together; people take no notice of it, and thinking it not done at all, or not necessary, conclude they are naturally subjects as they are men.

§ 118. But it is plain governments themselves understand it otherwise; they claim "no power over the son, because of that they had over the father;" nor look on children as being their subjects, by their fathers being so. If a subject of England have a child by an English woman in France, whose subject is he? Not the king of England's; for he must have leave to be admitted to the privileges of it: nor the king of France's; for how then has his father a liberty to bring him away, and breed him as he pleases? and who ever was judged as a traitor or deserter, if he left or warred against a country, for being barely born in it of parents that were aliens there? It is plain then, by the practice of governments themselves, as well as by the law of right reason, that "a child is born a subject of no country or government." He is under his father's tuition and authority till he comes to age of discretion; and then he

is a freeman, at liberty what government he will put himself under, what body politic he will unite himself to: for if an Englishman's son, born in France, be at liberty, and may do so, it is evident there is no tie upon him by his father's being a subject of this kingdom; nor is he bound up by any compact of his ancestors. And why then hath not his son, by the same reason, the same liberty, though he be born any where else? Since the power that a father hath naturally over his children is the same, wherever they be born, and the ties of natural obligations are not bounded by the positive limits of kingdoms and commonwealths.

§ 119. Every man being, as has been showed, naturally free, and nothing being able to put him into subjection to any earthly power, but only his own consent; it is to be considered, what shall be understood to be a sufficient declaration of a man's consent, to make him subject to the laws of any government. There is a common distinction of an express and a tacit consent, which will concern our present case. Nobody doubts but an express consent of any man entering into any society, makes him a perfect member of that society, a subject of that government. The difficulty is, what ought to be looked upon as a tacit consent, and how far it binds, *i. e.* how far any one shall be looked on to have consented, and thereby submitted to any government, where he has made no expressions of it at all. And to this I say, that every man, that hath any possessions, or enjoyment of any part of the dominions of any government, doth thereby give his tacit consent, and is as far forth obliged to obedience to the laws of that government, during such enjoyment, as any one under it; whether this his possession be of land, to him and his heirs for ever, or a lodging only for a week; or whether it be barely travelling freely on the highway; and, in effect, it reaches as far as the very being of any one within the territories of that government.

§ 120. To understand this the better, it is fit to consider, that every man, when he at first incorporates himself into any commonwealth, he, by his uniting himself

thereunto, annexes also, and submits to the community those possessions which he has, or shall acquire, that do not already belong to any other government: for it would be a direct contradiction for any one to enter into society with others for the securing and regulating of property, and yet to suppose his land, whose property is to be regulated by the laws of the society, should be exempt from the jurisdiction of that government, to which he himself, the proprietor of the land, is a subject. By the same act therefore, whereby any one unites his person, which was before free, to any commonwealth, by the same he unites his possessions, which were before free, to it also: and they become, both of them, person and possession, subject to the government and dominion of that commonwealth, as long as it hath a being. Whoever, therefore, from thenceforth, by inheritance, purchase, permission, or otherways, enjoys any part of the land so annexed to, and under the government of that commonwealth, must take it with the condition it is under; that is, of submitting to the government of the commonwealth, under whose jurisdiction it is, as far forth as any subject of it.

§ 121. But since the government has a direct jurisdiction only over the land, and reaches the possessor of it (before he has actually incorporated himself in the society) only as he dwells upon, and enjoys that; the obligation any one is under, by virtue of such enjoyment, to "submit to the government, begins and ends with the enjoyment:" so that whenever the owner, who has given nothing but such a tacit consent to the government, will, by donation, sale, or otherwise, quit the said possession, he is at liberty to go and incorporate himself into any other commonwealth; or to agree with others to begin a new one, in *vacuis locis*, in any part of the world they can find free and unpossessed: whereas he that has once, by actual agreement, and any express declaration, given his consent to be of any commonwealth, is perpetually and indispensably obliged to be, and remain unalterably a subject to it, and can never be again in the liberty of the state of nature; unless, by

any calamity, the government he was under comes to be dissolved, or else by some public act cuts him off from being any longer a member of it.

§ 122. But submitting to the laws of any country, living quietly, and enjoying privileges and protection under them, makes not a man a member of that society: this is only a local protection and homage due to and from all those, who, not being in a state of war, come within the territories belonging to any government, to all parts whereof the force of its laws extends. But this no more makes a man a member of that society, a perpetual subject of that commonwealth, than it would make a man a subject to another, in whose family he found it convenient to abide for some time; though, whilst he continued in it, he were obliged to comply with the laws, and submit to the government he found there. And thus we see, that foreigners, by living all their lives under another government, and enjoying the privileges and protection of it, though they are bound, even in conscience, to submit to its administration, as far forth as any denison; yet do not thereby come to be subjects or members of that commonwealth. Nothing can make any man so, but his actually entering into it by positive engagement, and express promise and compact. This is that which I think concerning the beginning of political societies, and that consent which makes any one a member of any commonwealth.

CHAPTER IX.

Of the Ends of political Society and Government.

§ 123. If man in the state of nature be so free as has been said; if he be absolute lord of his own person and possessions, equal to the greatest, and subject to nobody, why will he part with his freedom, why will he give up this empire, and subject himself to the

dominion and control of any other power? To which it is obvious to answer, that though in the state of nature he hath such a right, yet the enjoyment of it is very uncertain, and constantly exposed to the invasion of others; for all being kings as much as he, every man his equal, and the greater part no strict observers of equity and justice, the enjoyment of the property he has in this state is very unsafe, very unsecure. This makes him willing to quit a condition, which, however free, is full of fears and continual dangers: and it is not without reason that he seeks out, and is willing to join in society with others, who are already united, or have a mind to unite, for the mutual preservation of their lives, liberties, and estates, which I call by the general name property.

§ 124. The great and chief end, therefore, of men's uniting into commonwealths, and putting themselves under government, is the preservation of their property. To which in the state of nature there are many things wanting.

First, There wants an established, settled, known law, received and allowed by common consent to be the standard of right and wrong, and the common measure to decide all controversies between them: for though the law of nature be plain and intelligible to all rational creatures; yet men being biassed by their interest, as well as ignorant for want of studying it, are not apt to allow of it as a law binding to them in the application of it to their particular cases.

§ 125. Secondly, In the state of nature there wants a known and indifferent judge, with authority to determine all differences according to the established law: for every one in that state being both judge and executioner of the law of nature, men being partial to themselves, passion and revenge is very apt to carry them too far, and with too much heat, in their own cases; as well as negligence and unconcernedness, to make them too remiss in other men's.

§ 126. Thirdly, In the state of nature there often wants power to back and support the sentence when right, and to give it due execution. They who by any

injustice offend, will seldom fail, where they are able, by force to make good their injustice; such resistance many times makes the punishment dangerous, and frequently destructive to those who attempt it.

§ 127. Thus mankind, notwithstanding all the privileges of the state of nature, being but in an ill condition, while they remain in it, are quickly driven into society. Hence it comes to pass, that we seldom find any number of men live any time together in this state. The inconveniencies that they are therein exposed to, by the irregular and uncertain exercise of the power every man has of punishing the transgressions of others, make them take sanctuary under the established laws of government, and therein seek the preservation of their property. It is this makes them so willingly give up every one his single power of punishing, to be exercised by such alone as shall be appointed to it amongst them; and by such rules as the community, or those authorized by them to that purpose, shall agree on. And in this we have the original right of both the legislative and executive power, as well as of the governments and societies themselves.

§ 128. For in the state of nature, to omit the liberty he has of innocent delights, a man has two powers.

The first is to do whatsoever he thinks fit for the preservation of himself and others within the permission of the law of nature: by which law, common to them all, he and all the rest of mankind are one community, make up one society, distinct from all other creatures. And, were it not for the corruption and viciousness of degenerate men, there would be no need of any other; no necessity that men should separate from this great and natural community, and by positive agreements combine into smaller and divided associations.

The other power a man has in the state of nature, is the power to punish the crimes committed against that law. Both these he gives up when he joins in a private, if I may so call it, or particular politic society, and incorporates into any commonwealth, separate from the rest of mankind.

§ 129. The first power, viz. "of doing whatsoever

he thought fit for the preservation of himself" and the rest of mankind, he gives up to be regulated by laws made by the society, so far forth as the preservation of himself and the rest of that society shall require; which laws of the society in many things confine the liberty he had by the law of nature.

§ 130. Secondly, The power of punishing he wholly gives up, and engages his natural force (which he might before employ in the execution of the law of nature, by his own single authority, as he thought fit), to assist the executive power of the society, as the law thereof shall require: for being now in a new state, wherein he is to enjoy many conveniencies, from the labour, assistance, and society of others in the same community, as well as protection from its whole strength; he is to part also with as much of his natural liberty, in providing for himself, as the good, prosperity, and safety of the society shall require; which is not only necessary, but just, since the other members of the society do the like.

§ 131. But though men, when they enter into society, give up the equality, liberty, and executive power they had in the state of nature, into the hands of the society, to be so far disposed of by the legislative as the good of the society shall require; yet it being only with an intention in every one the better to preserve himself, his liberty and property (for no rational creature can be supposed to change his condition with an intention to be worse); the power of the society, or legislative constituted by them, can never be supposed to extend farther than the common good; but is obliged to secure every one's property, by providing against those three defects above-mentioned, that made the state of nature so unsafe and uneasy. And so whoever has the legislative or supreme power of any commonwealth, is bound to govern by established standing laws, promulgated and known to the people, and not by extemporary decrees; by indifferent and upright judges, who are to decide controversies by those laws; and to employ the force of the community at home, only in the execution of such laws; or abroad to pre-

vent or redress foreign injuries, and secure the community from inroads and invasion. And all this to be directed to no other end but the peace, safety, and public good of the people.

CHAPTER X.

Of the Forms of a Commonwealth.

§ 321. THE majority having, as has been showed, upon men's first uniting into society, the whole power of the community naturally in them, may employ all that power in making laws for the community from time to time, and executing those laws by officers of their own appointing; and then the form of the government is a perfect democracy: or else may put the power of making laws into the hands of a few select men, and their heirs or successors; and then it is an oligarchy: or else into the hands of one man, and then it is a monarchy: if to him and his heirs, it is an hereditary monarchy: if to him only for life, but upon his death the power only of nominating a successor to return to them, an elective monarchy. And so accordingly of these the community may make compounded and mixed forms of government, as they think good. And if the legislative power be at first given by the majority to one or more persons only for their lives, or any limited time, and then the supreme power to revert to them again; when it is so reverted, the community may dispose of it again anew into what hands they please, and so constitute a new form of government: for the form of government depending upon the placing the supreme power, which is the legislative (it being impossible to conceive that an inferior power should prescribe to a superior, or any but the supreme make laws),

according as the power of making laws is placed, such is the form of the commonwealth.

§ 133. By commonwealth, I must be understood all along to mean, not a democracy, or any form of government, but any independent community, which the Latines signified by the word *civitas;* to which the word which best answers in our language is commonwealth, and most properly expresses such a society of men, which community or city in English does not: for there may be subordinate communities in government; and city amongst us has a quite different notion from commonwealth: and therefore, to avoid ambiguity, I crave leave to use the word commonwealth in that sense, in which I find it used by king James the First; and I take it to be its genuine signification; which if any body dislike, I consent with him to change it for a better.

CHAPTER XI.

Of the Extent of the legislative Power.

§ 134. The great end of men's entering into society being the enjoyment of their properties in peace and safety, and the great instrument and means of that being the laws established in that society; the first and fundamental positive law of all commonwealths is the establishing of the legislative power; as the first and fundamental natural law, which is to govern even the legislative itself, is the preservation of the society, and (as far as will consist with the public good) of every person in it. This legislative is not only the supreme power of the commonwealth, but sacred and unalterable in the hands where the community have once placed it; nor can any edict of any body else, in what form soever conceived, or by what power soever backed, have the force and obligation of a law, which has not its sanction from that legislative which the

public has chosen and appointed: for without this the law could not have that which is absolutely necessary to its being a law*, the consent of the society; over whom nobody can have a power to make laws, but by their own consent, and by authority received from them. And therefore all the obedience, which by the most solemn ties any one can be obliged to pay, ultimately terminates in this supreme power, and is directed by those laws which it enacts: nor can any oaths to any foreign power whatsoever, or any domestic subordinate power, discharge any member of the society from his obedience to the legislative, acting pursuant to their trust; nor oblige him to any obedience contrary to the laws so enacted, or farther than they do allow; it being ridiculous to imagine one can be tied ultimately to obey any power in the society which is not supreme.

§ 135. Though the legislative, whether placed in one or more, whether it be always in being, or only by intervals, though it be the supreme power in every commonwealth; yet,

First, It is not, nor can possibly be absolutely arbitrary over the lives and fortunes of the people: for it being but the joint power of every member of the society given up to that person or assembly which is legislator; it can be no more than those persons had in a state of nature before they entered into society, and

* "The lawful power of making laws to command whole politic societies of men, belonging so properly unto the same entire societies, that for any prince or potentate of what kind soever upon earth, to exercise the same of himself, and not by express commission immediately and personally received from God, or else by authority derived at the first from their consent, upon whose persons they impose laws, it is no better than mere tyranny. Laws they are not, therefore, which public approbation hath not made so." Hooker's Eccl. Pol. l. i. sect. 10. "Of this point therefore we are to note, that sith men naturally have no full and perfect power to command whole politic multitudes of men, therefore utterly without our consent, we could in such sort be at no man's commandment living. And to be commanded we do consent, when that society, whereof we be a part, hath at any time before consented, without revoking the same by the like universal agreement.

"Laws therefore human, of what kind soever, are available by consent." *Ibid.*

gave up to the community: for nobody can transfer to another more power than he has in himself; and nobody has an absolute arbitrary power over himself, or over any other, to destroy his own life, or take away the life or property of another. A man, as has been proved, cannot subject himself to the arbitrary power of another; and having in the state of nature no arbitrary power over the life, liberty, or possession of another, but only so much as the law of nature gave him for the preservation of himself and the rest of mankind; this is all he doth, or can give up to the commonwealth, and by it to the legislative power, so that the legislative can have no more than this. Their power, in the utmost bounds of it, is limited to the public good of the society. It is a power that hath no other end but preservation, and therefore can never* have a right to destroy, enslave, or designedly to impoverish the subjects. The obligations of the law of nature cease not in society, but only in many cases are drawn closer, and have by human laws known penalties annexed to them, to enforce their observation. Thus the law of nature stands as an eternal rule to all men, legislators as well as others. The rules that they make for other men's actions must, as well as their own and other men's actions be conformable to the law of nature, *i. e.* to the will of God, of which that is a declaration; and the "fundamental law of nature being the preservation of

* Two foundations there are which bear up public societies; the one a natural inclination, whereby all men desire sociable life and fellowship; the other an order, expressly or secretly agreed upon, touching the manner of their union in living together: the latter is that which we call the law of a commonweal, the very soul of a politic body, the parts whereof are by law animated, held together, and set on work in such actions as the common good requireth. Laws politic, ordained for external order and regiment amongst men, are never framed as they should be, unless presuming the will of man to be inwardly obstinate, rebellious, and averse from all obedience to the sacred laws of his nature; in a word, unless presuming man to be, in regard of his depraved mind, little better than a wild beast, they do accordingly provide, notwithstanding, so to frame his outward actions, that they be no hindrance unto the common good, for which societies are instituted. Unless they do this, they are not perfect." *Hooker*'s Eccl. Pol. l. i. sect. 10.

mankind," no human sanction can be good or valid against it."

§ 136. Secondly, *The legislative or supreme authority cannot assume to itself a power to rule by extemporary, arbitrary decrees; but is bound to dispense justice, and to decide the rights of the subject, by promulgated, standing laws, and known authorized judges. For the law of nature being unwritten, and so nowhere to be found, but in the minds of men, they who, through passion, or interest, shall miscite, or misapply it, cannot so easily be convinced of their mistake, where there is no established judge: and so it serves not, as it ought, to determine the rights, and fence the properties of those that live under it; especially where every one is judge, interpreter, and executioner of it too, and that in his own case: and he that has right on his side, having ordinarily but his own single strength, hath not force enough to defend himself from injuries, or to punish delinquents. To avoid these inconveniencies, which disorder men's properties in the state of nature, men unite into societies, that they may have the united strength of the whole society to secure and defend their properties, and may have standing rules to bound it, by which every one may know what is his. To this end it is that men give up all their natural power to the society which they enter into, and the community put the legislative power into such hands as they think fit; with this trust, that they shall be governed by declared laws, or else their peace, quiet, and property will still be at the same uncertainty as it was in the state of nature.

* "Human laws are measures in respect of men whose actions they must direct, howbeit such measures they are as have also their higher rules to be measured by, which rules are two, the law of God, and the law of nature; so that laws human must be made according to the general laws of nature, and without contradiction to any positive law of scripture, otherwise they are ill made." *Hooker's* Eccl. Pol. l. iii. sect. 9.

"To constrain men to any thing inconvenient doth seem unreasonable." *Ibid.* l. i. sect. 10.

§ 137. Absolute arbitrary power, or governing without settled standing laws, can neither of them consist with the ends of society and government, which men would not quit the freedom of the state of nature for, and tie themselves up under, were it not to preserve their lives, liberties, and fortunes, and by stated rules of right and property to secure their peace and quiet. It cannot be supposed that they should intend, had they a power so to do, to give to any one, or more, an absolute arbitrary power over their persons and estates, and put a force into the magistrate's hand to execute his unlimited will arbitrarily upon them. This were to put themselves into a worse condition than the state of nature, wherein they had a liberty to defend their right against the injuries of others, and were upon equal terms of force to maintain it, whether invaded by a single man, or many in combination. Whereas by supposing they have given up themselves to the absolute arbitrary power and will of a legislator, they have disarmed themselves, and armed him, to make a prey of them when he pleases; he being in a much worse condition, who is exposed to the arbitrary power of one man, who has the command of 100,000, than he that is exposed to the arbitrary power of 100,000 single men; nobody being secure that his will, who has such a command, is better than that of other men, though his force be 100,000 times stronger. And therefore, whatever form the commonwealth is under, the ruling power ought to govern by declared and received laws, and not by extemporary dictates and undetermined resolutions; for then mankind will be in a far worse condition than in the state of nature, if they shall have armed one or a few men with the joint power of a multitude, to force them to obey at pleasure the exorbitant and unlimited degrees of their sudden thoughts, or unrestrained, and till that moment unknown wills, without having any measures set down which may guide and justify their actions: for all the power the government has being only for the good of the society, as it ought not to be arbitrary and at pleasure, so it ought to be exercised by esta-

blished and promulgated laws; that both the people may know their duty, and be safe and secure within the limits of the law; and the rulers too kept within their bounds, and not be tempted, by the power they have in their hands, to employ it to such purposes, and by such measures, as they would not have known, and own not willingly.

§ 138. Thirdly, The supreme power cannot take from any man part of his property without his own consent: for the preservation of property being the end of government, and that for which men enter into society, it necessarily supposes and requires, that the people should have property, without which they must be supposed to lose that, by entering into society, which was the end for which they entered into it; too gross an absurdity for any man to own. Men therefore in society having property, they have such right to the goods, which by the law of the community are theirs, that nobody hath a right to take their substance or any part of it from them, without their own consent: without this they have no property at all; for I have truly no property in that, which another can by right take from me, when he pleases, against my consent. Hence it is a mistake to think, that the supreme or legislative power of any commonwealth can do what it will, and dispose of the estates of the subject arbitrarily, or take any part of them at pleasure. This is not much to be feared in governments where the legislative consists, wholly or in part, in assemblies which are variable, whose members, upon the dissolution of the assembly, are subjects under the common laws of their country, equally with the rest. But in governments where the legislative is in one lasting assembly always in being, or in one man, as in absolute monarchies, there is danger still that they will think themselves to have a distinct interest from the rest of the community; and so will be apt to increase their own riches and power, by taking what they think fit from the people: for a man's property is not at all secure, though there be good and equitable laws to set the bounds of it between him and his fellow-subjects, if he who commands those

subjects have power to take from any private man what part he pleases of his property, and use and dispose of it as he thinks good.

§ 139. But government, into whatsoever hands it is put, being, as I have before showed, entrusted with this condition, and for this end, that men might have and secure their properties; the prince, or senate, however it may have power to make laws for the regulating of property between the subjects one amongst another, yet can never have a power to take to themselves the whole or any part of the subject's property without their own consent: for this would be in effect to leave them no property at all. And to let us see, that even absolute power, where it is necessary, is not arbitrary by being absolute, but is still limited by that reason, and confined to those ends, which required it in some cases to be absolute, we need look no farther than the common practice of martial discipline: for the preservation of the army, and in it of the whole commonwealth, requires an absolute obedience to the command of every superior officer, and it is justly death to disobey or dispute the most dangerous or unreasonable of them; but yet we see, that neither the serjeant, that could command a soldier to march up to the mouth of a cannon, or stand in a breach, where he is almost sure to perish, can command that soldier to give him one penny of his money; nor the general, that can condemn him to death for deserting his post, or for not obeying the most desperate orders, can yet, with all his absolute power of life and death, dispose of one farthing of that soldier's estate, or seize one jot of his goods; whom yet he can command any thing, and hang for the least disobedience; because such a blind obedience is necessary to that end for which the commander has his power, viz. the preservation of the rest; but the disposing of his goods has nothing to do with it.

§ 140. It is true, governments cannot be supported without great charge, and it is fit every one who enjoys his share of the protection, should pay out of his estate his proportion for the maintenance of it. But still it must be with his own consent, *i. e.* the consent

of the majority, giving it either by themselves, or their representatives chosen by them: for if any one shall claim a power to lay and levy taxes on the people by his own authority, and without such consent of the people, he thereby invades the fundamental law of property, and subverts the end of government: for what property have I in that which another may by right take, when he pleases, to himself?

§ 141. Fourthly, The legislative cannot transfer the power of making laws to any other hands: for it being but a delegated power from the people, they who have it cannot pass it over to others. The people alone can appoint the form of the commonwealth, which is by constituting the legislative, and appointing in whose hands that shall be. And when the people have said, we will submit to rules, and be governed by laws made by such men, and in such forms, nobody else can say other men shall make laws for them; nor can the people be bound by any laws but such as are enacted by those whom they have chosen, and authorized to make laws for them. The power of the legislative being derived from the people by a positive voluntary grant and institution, can be no other than what that positive grant conveyed, which being only to make laws, and not to make legislators, the legislative can have no power to transfer their authority of making laws and place it in other hands.

§ 142. These are the bounds which the trust that is put in them by the society, and the law of God and nature, have set to the legislative power of every commonwealth, in all forms of government.

First, They are to govern by promulgated established laws, not to be varied in particular cases, but to have one rule for rich and poor, for the favourite at court, and the countryman at plough.

Secondly, These laws also ought to be designed for no other end ultimately, but the good of the people.

Thirdly, They must not raise taxes on the property of the people, without the consent of the people, given by themselves or their deputies. And this properly concerns only such governments where the legislative

is always in being, or at least where the people have not reserved any part of the legislative to deputies, to be from time to time chosen by themselves.

Fourthly, The legislative neither must nor can transfer the power of making laws to any body else, or place it any where, but where the people have.

CHAPTER XII.

Of the legislative, executive, and federative Power of the Commonwealth.

§ 143. THE legislative power is that, which has a right to direct how the force of the commonwealth shall be employed for preserving the community and the members of it. But because those laws which are constantly to be executed, and whose force is always to continue, may be made in a little time, therefore there is no need that the legislative should be always in being, not having always business to do. And because it may be too great a temptation to human frailty, apt to grasp at power, for the same persons who have the power of making laws, to have also in their hands the power to execute them; whereby they may exempt themselves from obedience to the laws they make, and suit the law, both in its making and execution, to their own private advantage, and thereby come to have a distinct interest from the rest of the community, contrary to the end of society and government: therefore in well ordered commonwealths, where the good of the whole is so considered, as it ought, the legislative power is put into the hands of divers persons, who, duly assembled, have by themselves, or jointly with others, a power to make laws; which when they have done, being separated again, they are themselves subject to the laws they have made; which is a new and near tie upon them, to take care that they make them for the public good.

§ 144. But because the laws, that are at once, and in a short time made, have a constant and lasting force, and need a perpetual execution, or an attendance thereunto; therefore it is necessary there should be a power always in being, which should see to the execution of the laws that are made, and remain in force. And thus the legislative and executive power come often to be separated.

§ 145. There is another power in every commonwealth, which one may call natural, because it is that which answers to the power every man naturally had before he entered into society: for though in a commonwealth, the members of it are distinct persons still in reference to one another, and as such are governed by the laws of the society; yet in reference to the rest of mankind, they make one body, which is, as every member of it before was, still in the state of nature with the rest of mankind. Hence it is, that the controversies that happen between any man of the society with those that are out of it, are managed by the public; and an injury done to a member of their body engages the whole in the reparation of it. So that, under this consideration, the whole community is one body in the state of nature, in respect of all other states or persons out of its community.

§ 146. This therefore contains the power of war and peace, leagues and alliances, and all the transactions with all persons and communities without the commonwealth; and may be called federative, if any one pleases. So the thing be understood, I am indifferent as to the name.

§ 147. These two powers, executive and federative, though they be really distinct in themselves, yet one comprehending the execution of the municipal laws of the society within itself, upon all that are parts of it; the other the management of the security and interest of the public without, with all those that it may receive benefit or damage from; yet they are always almost united. And though this federative power in the well or ill management of it be of great moment to the commonwealth, yet it is much less capable to be di-

rected by antecedent, standing, positive laws, than the executive; and so must necessarily be left to the prudence and wisdom of those whose hands it is in, to be managed for the public good: for the laws that concern subjects one amongst another, being to direct their actions, may well enough precede them. But what is to be done in reference to foreigners, depending much upon their actions, and the variation of designs, and interests, must be left in great part to the prudence of those who have this power committed to them, to be managed by the best of their skill, for the advantage of the commonwealth.

§ 148. Though, as I said, the executive and federative power of every community be really distinct in themselves, yet they are hardly to be separated, and placed at the same time in the hands of distinct persons: for both of them requiring the force of the society for their exercise, it is almost impracticable to place the force of the commonwealth in distinct, and not subordinate hands; or that the executive and federative power should be placed in persons that might act separately, whereby the force of the public would be under different commands; which would be apt some time or other to cause disorder and ruin.

CHAPTER XIII.

Of the Subordination of the Powers of the Commonwealth.

§ 149. THOUGH in a constituted commonwealth, standing upon its own basis, and acting according to its own nature, that is, acting for the preservation of the community, there can be but one supreme power, which is the legislative, to which all the rest are and must be subordinate; yet the legislative being only a fiduciary power to act for certain ends, there remains still "in the people a supreme power to remove or alter the legislative," when they find the

legislative act contrary to the trust reposed in them: for all power given with trust for the attaining an end, being limited by that end: whenever that end is manifestly neglected or opposed, the trust must necessarily be forfeited, and the power devolve into the hands of those that gave it, who may place it anew where they shall think best for their safety and security. And thus the community perpetually retains a supreme power of saving themselves from the attempts and designs of any body, even of their legislators, whenever they shall be so foolish, or so wicked, as to lay and carry on designs against the liberties and properties of the subject: for no man, or society of men, having a power to deliver up their preservation, or consequently the means of it, to the absolute will and arbitrary dominion of another; whenever any one shall go about to bring them into such a slavish condition, they will always have a right to preserve what they have not a power to part with; and to rid themselves of those who invade this fundamental, sacred, and unalterable law of self-preservation, for which they entered into society. And thus the community may be said in this respect to be always the supreme power, but not as considered under any form of government, because this power of the people can never take place till the government be dissolved.

§ 150. In all cases, whilst the government subsists, the legislative is the supreme power: for what can give laws to another, must needs be superior to him; and since the legislative is no otherwise legislative of the society, but by the right it has to make laws for all the parts, and for every member of the society, prescribing rules to their actions, and giving power of execution, where they are transgressed; the legislative must needs be the supreme, and all other powers, in any members or parts of the society, derived from and subordinate to it.

§ 151. In some commonwealths, where the legislative is not always in being, and the executive is vested in a single person, who has also a share in the legislative; there that single person in a very tolerable sense may also be called supreme; not that he has in himself

all the supreme power, which is that of law-making; but because he has in him the supreme execution, from whom all inferior magistrates derive all their several subordinate powers, or at least the greatest part of them: having also no legislative superior to him, there being no law to be made without his consent, which cannot be expected should ever subject him to the other part of the legislative, he is properly enough in this sense supreme. But yet it is to be observed, that though oaths of allegiance and fealty are taken to him, it is not to him as supreme legislator, but as supreme executor of the law, made by a joint power of him with others: allegiance being nothing but an obedience according to law, which when he violates, he has no right to obedience, nor can claim it otherwise than as the public person invested with the power of the law; and so is to be considered as the image, phantom, or representative of the commonwealth, acted by the will of the society, declared in its laws; and thus he has no will, no power, but that of the law. But when he quits this representation, this public will, and acts by his own private will, he degrades himself, and is but a single private person without power, and without will, that has no right to obedience; the members owing no obedience but to the public will of the society.

§ 152. The executive power, placed any where but in a person that has also a share in the legislative, is visibly subordinate and accountable to it, and may be at pleasure changed and displaced; so that it is not the supreme executive power that is exempt from subordination: but the supreme executive power vested in one, who having a share in the legislative, has no distinct superior legislative to be subordinate and accountable to, farther than he himself shall join and consent; so that he is no more subordinate than he himself shall think fit, which one may certainly conclude will be but very little. Of other ministerial and subordinate powers in a commonwealth we need not speak, they being so multiplied with infinite variety, in the different customs and constitutions of distinct commonwealths, that it is im-

possible to give a particular account of them all. Only thus much, which is necessary to our present purpose, we may take notice of concerning them, that they have no manner of authority, any of them, beyond what is by positive grant and commission delegated to them, and are all of them accountable to some other power in the commonwealth.

§ 153. It is not necessary, no, nor so much as convenient, that the legislative should be always in being; but absolutely necessary that the executive power should; because there is not always need of new laws to be made, but always need of execution of the laws that are made. When the legislative hath put the execution of the laws they make into other hands, they have a power still to resume it out of those hands, when they find cause, and to punish for any male administration against the laws. The same holds also in regard of the federative power, that and the executive being both ministerial and subordinate to the legislative, which, as has been showed, in a constituted commonwealth is the supreme. The legislative also in this case being supposed to consist of several persons, (for if it be a single person, it cannot but be always in being, and so will, as supreme, naturally have the supreme executive power, together with the legislative) may assemble, and exercise their legislature, at the times that either their original constitution, or their own adjournment, appoints, or when they please; if neither of these hath appointed any time, or there be no other way prescribed to convoke them: for the supreme power being placed in them by the people, it is always in them, and they may exercise it when they please, unless by their original constitution they are limited to certain seasons, or by an act of their supreme power they have adjourned to a certain time; and when that time comes, they have a right to assemble and act again.

§ 154. If the legislative, or any part of it, be made up of representatives chosen for that time by the people, which afterwards return into the ordinary state of subjects, and have no share in the legislature but upon

a new choice, this power of choosing must also be exercised by the people, either at certain appointed seasons, or else when they are summoned to it; and in this latter case the power of convoking the legislative is ordinarily placed in the executive, and has one of these two limitations in respect of time: that either the original constitution requires their assembling and acting at certain intervals, and then the executive power does nothing but ministerially issue directions for their electing and assembling according to due forms; or else it is left to his prudence to call them by new elections, when the occasions or exigencies of the public require the amendment of old, or making of new laws, or the redress or prevention of any inconveniences, that lie on, or threaten the people.

§ 155. It may be demanded here, What if the executive power, being possessed of the force of the commonwealth, shall make use of that force to hinder the meeting and acting of the legislative, when the original constitution or the public exigencies require it? I say, using force upon the people without authority, and contrary to the trust put in him that does so, is a state of war with the people, who have a right to reinstate their legislative in the exercise of their power: for having erected a legislative, with an intent they should exercise the power of making laws, either at certain set times, or when there is need of it; when they are hindered by any force from what is so necessary to the society, and wherein the safety and preservation of the people consists, the people have a right to remove it by force. In all states and conditions, the true remedy of force without authority is to oppose force to it. The use of force without authority always puts him that uses it into a state of war, as the aggressor, and renders him liable to be treated accordingly.

§ 156. The power of assembling and dismissing the legislative, placed in the executive, gives not the executive a superiority over it, but is a fiduciary trust placed in him for the safety of the people, in a case where the uncertainty and variableness of human affairs

could not bear a steady fixed rule: for it not being possible that the first framers of the government should, by any foresight, be so much masters of future events as to be able to prefix so just periods of return and duration to the assemblies of the legislative, in all times to come, that might exactly answer all the exigencies of the commonwealth; the best remedy could be found for this defect was to trust this to the prudence of one who was always to be present, and whose business it was to watch over the public good. Constant frequent meetings of the legislative, and long continuations of their assemblies, without necessary occasion, could not but be burdensome to the people, and must necessarily in time produce more dangerous inconveniencies, and yet the quick turn of affairs might be sometimes such as to need their present help; any delay of their convening might endanger the public; and sometimes too their business might be so great, that the limited time of their sitting might be too short for their work, and rob the public of that benefit which could be had only from their mature deliberation. What then could be done in this case to prevent the community from being exposed some time or other to eminent hazard, on one side or the other, by fixed intervals and periods, set to the meeting and acting of the legislative; but to intrust it to the prudence of some, who being present, and acquainted with the state of public affairs, might make use of this prerogative for the public good? and where else could this be so well placed as in his hands, who was intrusted with the execution of the laws for the same end? Thus supposing the regulation of times for the assembling and sitting of the legislative not settled by the original constitution, it naturally fell into the hands of the executive, not as an arbitrary power depending on his good pleasure, but with this trust always to have it exercised only for the public weal, as the occurrences of times and change of affairs might require. Whether settled periods of their convening, or a liberty left to the prince for convoking the legislative, or perhaps a mixture of both, hath the least inconvenience attending it, it is not

my business here to inquire; but only to show, that though the executive power may have the prerogative of convoking and dissolving such conventions of the legislative, yet it is not thereby superior to it.

§ 157. Things of this world are in so constant a flux, that nothing remains long in the same state. Thus people, riches, trade, power, change their stations, flourishing mighty cities come to ruin, and prove in time neglected desolate corners, whilst other unfrequented places grow into populous countries, filled with wealth and inhabitants. But things not always changing equally, and private interest often keeping up customs and privileges, when the reasons of them are ceased; it often comes to pass, that in governments, where part of the legislative consists of representatives chosen by the people, that in tract of time this representation becomes very unequal and disproportionate to the reasons it was at first established upon. To what gross absurdities the following of custom, when reason has left it, may lead, we may be satisfied, when we see the bare name of a town, of which there remains not so much as the ruins, where scarce so much housing as a sheepcote, or more inhabitants than a shepherd is to be found, sends as many representatives to the grand assembly of law-makers as a whole county, numerous in people, and powerful in riches. This strangers stand amazed at, and every one must confess needs a remedy; though most think it hard to find one; because the constitution of the legislative being the original and supreme act of the society, antecedent to all positive laws in it, and depending wholly on the people, no inferior power can alter it. And therefore the people, when the legislative is once constituted, having, in such a government as we have been speaking of, no power to act as long as the government stands; this inconvenience is thought incapable of a remedy.

§ 158. *Salus populi suprema lex,* is certainly so just and fundamental a rule, that he, who sincerely follows it, cannot dangerously err. If therefore the executive, who has the power of convoking the legislative, observing rather the true proportion than fashion of re-

presentation, regulates not by old custom, but true reason, the number of members in all places that have a right to be distinctly represented, which no part of the people, however incorporated, can pretend to, but in proportion to the assistance which it affords to the public; it cannot be judged to have set up a new legislative, but to have restored the old and true one, and to have rectified the disorders which succession of time had insensibly, as well as inevitably introduced; for it being the interest as well as intention of the people, to have a fair and equal representative; whoever brings it nearest to that, is an undoubted friend to, and establisher of the government, and cannot miss the consent and approbation of the community: prerogative being nothing but a power in the hands of the prince, to provide for the public good, in such cases, which depending upon unforeseen and uncertain occurrences, certain and unalterable laws could not safely direct; whatsoever shall be done manifestly for the good of the people, and the establishing the government upon its true foundations, is, and always will be, just prerogative. The power of erecting new corporations, and therewith new representatives, carries with it a supposition that in time the measures of representation might vary, and those places have a just right to be represented which before had none; and by the same reason, those cease to have a right, and be too inconsiderable for such a privilege, which before had it. It is not a change from the present state, which perhaps corruption or decay has introduced, that makes an inroad upon the government; but the tendency of it to injure or oppress the people, and to set up one part or party, with a distinction from, and an unequal subjection of the rest. Whatsoever cannot but be acknowledged to be of advantage to the society, and people in general, upon just and lasting measures, will always, when done, justify itself; and whenever the people shall choose their representatives upon just and undeniably equal measures, suitable to the original frame of the government, it cannot be doubted to be the will and act of the society, whoever permitted or caused them so to do.

CHAPTER XIV.

Of Prerogative.

§ 159. WHERE the legislative and executive power are in distinct hands, (as they are in all moderated monarchies and well-framed governments) there the good of the society requires, that several things should be left to the discretion of him that has the executive power: for the legislators not being able to foresee, and provide by laws, for all that may be useful to the community, the executor of the laws having the power in his hands, has by the common law of nature a right to make use of it for the good of the society, in many cases, where the municipal law has given no direction, till the legislative can conveniently be assembled to provide for it. Many things there are, which the law can by no means provide for; and those must necessarily be left to the discretion of him that has the executive power in his hands, to be ordered by him as the public good and advantage shall require: nay, it is fit that the laws themselves should in some cases give way to the executive power, or rather to this fundamental law of nature and government, viz. That, as much as may be, all the members of the society are to be preserved: for since many accidents may happen, wherein a strict and rigid observation of the laws may do harm; (as not to pull down an innocent man's house to stop the fire, when the next to it is burning) and a man may come sometimes within the reach of the law, which makes no distinction of persons, by an action that may deserve reward and pardon; it is fit the ruler should have a power, in many cases, to mitigate the severity of the law, and pardon some offenders: for the end of government being the preservation of all, as much as may be, even

the guilty are to be spared, where it can prove no prejudice to the innocent.

§ 160. This power to act according to discretion for the public good, without the prescription of the law, and sometimes even against it, is that which is called prerogative: for since in some governments the law-making power is not always in being, and is usually too numerous, and so too slow for the despatch requisite to execution; and because also it is impossible to foresee, and so by laws to provide for all accidents and necessities that may concern the public, or to make such laws as will do no harm, if they are executed with an inflexible rigour on all occasions, and upon all persons that may come in their way; therefore there is a latitude left to the executive power, to do many things of choice which the laws do not prescribe.

§ 161. This power, whilst employed for the benefit of the community, and suitably to the trust and ends of the government, is undoubted prerogative, and never is questioned; for the people are very seldom or never scrupulous or nice in the point; they are far from examining prerogative, whilst it is in any tolerable degree employed for the use it was meant; that is, for the good of the people, and not manifestly against it: but if there comes to be a question between the executive power and the people, about a thing claimed as a prerogative, the tendency of the exercise of such prerogative to the good or hurt of the people will easily decide that question.

§ 162. It is easy to conceive, that in the infancy of governments, when commonwealths differed little from families in number of people, they differed from them too but little in number of laws: and the governors being as the fathers of them, watching over them for their good, the government was almost all prerogative. A few established laws served the turn, and the discretion and care of the ruler supplied the rest. But when mistake or flattery prevailed with weak princes to make use of this power for private ends of their own, and not for the public good, the people were fain by express

laws to get prerogative determined in those points wherein they found disadvantage from it: and thus declared limitations of prerogative were by the people found necessary in cases which they and their ancestors had left, in the utmost latitude, to the wisdom of those princes who made no other but a right use of it; that is, for the good of their people.

§ 163. And therefore they have a very wrong notion of government, who say, that the people have encroached upon the prerogative, when they have got any part of it to be defined by positive laws: for in so doing they have not pulled from the prince any thing that of right belonged to him, but only declare, that that power which they indefinitely left in his or his ancestors' hands, to be exercised for their good, was not a thing which they intended him when he used it otherwise: for the end of government being the good of the community, whatsoever alterations are made in it, tending to that end, cannot be an encroachment upon any body, since nobody in government can have a right tending to any other end: and those only are encroachments which prejudice or hinder the public good. Those who say otherwise, speak as if the prince had a distinct and separate interest from the good of the community, and was not made for it; the root and source from which spring almost all those evils and disorders which happen in kingly governments. And indeed, if that be so, the people under his government are not a society of rational creatures, entered into a community for their mutual good; they are not such as have set rulers over themselves, to guard and promote that good; but are to be looked on as an herd of inferior creatures under the dominion of a master, who keeps them and works them for his own pleasure or profit. If men were so void of reason, and brutish, as to enter into society upon such terms, prerogative might indeed be, what some men would have it, an arbitrary power to do things hurtful to the people.

§ 164. But since a rational creature cannot be supposed, when free, to put himself into subjection to an-

other, for his own harm; (though, where he finds a good and wise ruler, he may not perhaps think it either necessary or useful to set precise bounds to his power in all things) prerogative can be nothing but the people's permitting their rulers to do several things, of their own free choice, where the law was silent, and sometimes too against the direct letter of the law, for the public good; and their acquiescing in it when so done: for as a good prince, who is mindful of the trust put into his hands, and careful of the good of his people, cannot have too much prerogative, that is, power to do good; so a weak and ill prince, who would claim that power which his predecessors exercised without the direction of the law, as a prerogative belonging to him by right of his office, which he may exercise at his pleasure, to make or promote an interest distinct from that of the public; gives the people an occasion to claim their right, and limit that power, which, whilst it was exercised for their good, they were content should be tacitly allowed.

§ 165. And therefore he that will look into the history of England, will find, that prerogative was always largest in the hands of our wisest and best princes; because the people, observing the whole tendency of their actions to be the public good, contested not what was done without law to that end: or, if any human frailty or mistake (for princes are but men, made as others) appeared in some small declinations from that end; yet it was visible, the main of their conduct tended to nothing but the care of the public. The people, therefore, finding reason to be satisfied with these princes, whenever they acted without, or contrary to the letter of the law, acquiesced in what they did, and, without the least complaint, let them enlarge their prerogative as they pleased; judging rightly, that they did nothing herein to the prejudice of their laws, since they acted conformably to the foundation and end of all laws, the public good.

§ 166. Such God-like princes, indeed, had some title to arbitrary power by that argument, that would prove absolute monarchy the best government, as that

which God himself governs the universe by; because such kings partook of his wisdom and goodness. Upon this is founded that saying, That the reigns of good princes have been always most dangerous to the liberties of their people: for when their successors, managing the government with different thoughts, would draw the actions of those good rulers into precedent, and make them the standard of their prerogative, as if what had been done only for the good of the people was a right in them to do for the harm of the people, if they so pleased; it has often occasioned contest, and sometimes public disorders, before the people could recover their original right, and get that to be declared not to be prerogative, which truly was never so: since it is impossible that any body in the society should ever have a right to do the people harm; though it be very possible and reasonable that the people should not go about to set any bounds to the prerogative of those kings or rulers, who themselves transgressed not the bounds of the public good; for "prerogative is nothing but the power of doing public good without a rule."

§ 167. The power of calling parliaments in England, as to precise time, place, and duration, is certainly a prerogative of the king, but still with this trust, that it shall be made use of for the good of the nation, as the exigencies of the times, and variety of occasions shall require: for it being impossible to foresee which should always be the fittest place for them to assemble in, and what the best season, the choice of these was left with the executive power, as might be most subservient to the public good, and best suit the ends of parliaments.

§ 168. The old question will be asked in this matter of prerogative, "But who shall be judge when this power is made a right use of?" I answer: between an executive power in being, with such a prerogative, and a legislative that depends upon his will for their convening, there can be no judge on earth; as there can be none between the legislative and the people, should either the executive or the legislative, when they have got the power in their hands, design or go about

to enslave or destroy them. The people have no other remedy in this, as in all other cases where they have no judge on earth, but to appeal to heaven: for the rulers, in such attempts, exercising a power the people never put into their hands (who can never be supposed to consent that any body should rule over them for their harm), do that which they have not a right to do. And where the body of the people, or any single man, is deprived of their right, or under the exercise of a power without right, and have no appeal on earth, then they have a liberty to appeal to heaven, whenever they judge the cause of sufficient moment. And therefore, though the people cannot be judge, so as to have, by the constitution of that society, any superior power to determine and give effective sentence in the case; yet they have, by a law antecedent and paramount to all positive laws of men, reserved that ultimate determination to themselves which belongs to all mankind, where there lies no appeal on earth, viz. to judge whether they have just cause to make their appeal to heaven.— And this judgment they cannot part with, it being out of a man's power so to submit himself to another, as to give him a liberty to destroy him; God and nature never allowing a man so to abandon himself, as to neglect his own preservation: and since he cannot take away his own life, neither can he give another power to take it. Nor let any one think this lays a perpetual foundation for disorder; for this operates not till the inconveniency is so great that the majority feel it, and are weary of it, and find a necessity to have it amended. But this the executive power, or wise princes, never need come in the danger of: and it is the thing, of all others, they have most need to avoid, as of all others the most perilous.

CHAPTER XV.

Of paternal, political, and despotical Power, considered together.

§ 169. THOUGH I have had occasion to speak of these separately before, yet the great mistakes of late about government having, as I suppose, arisen from confounding these distinct powers one with another, it may not, perhaps, be amiss to consider them here together.

§ 170. First, then, paternal or parental power is nothing but that which parents have over their children, to govern them for the children's good, till they come to the use of reason, or a state of knowledge, wherein they may be supposed capable to understand that rule, whether it be the law of nature, or the municipal law of their country, they are to govern themselves by: capable, I say, to know it, as well as several others, who live as freemen under that law. The affection and tenderness which God hath planted in the breast of parents towards their children, makes it evident, that this is not intended to be a severe arbitrary government, but only for the help, instruction, and preservation of their offspring. But happen it as it will, there is, as I have proved, no reason why it should be thought to extend to life and death, at any time, over their children, more than over any body else; neither can there be any pretence why this parental power should keep the child, when grown to a man, in subjection to the will of his parents, any farther than having received life and education from his parents, obliges him to respect, honour, gratitude, assistance, and support, all his life, to both father and mother. And thus, it is true, the paternal is a natural government, but not at all extending itself

to the ends and jurisdictions of that which is political. The power of the father doth not reach at all to the property of the child, which is only in his own disposing.

§ 171. Secondly, political power is that power which every man having in the state of nature, has given up into the hands of the society, and therein to the governors, whom the society hath set over itself, with this express or tacit trust, that it shall be employed for their good, and the preservation of their property: now this power, which every man has in the state of nature, and which he parts with to the society in all such cases where the society can secure him, is to use such means for the preserving of his own property as he thinks good, and nature allows him; and to punish the breach of the law of nature in others, so as (according to the best of his reason) may most conduce to the preservation of himself and the rest of mankind. So that the end and measure of this power, when in every man's hands in the state of nature, being the preservation of all of his society, that is, all mankind in general, it can have no other end or measure, when in the hands of the magistrate, but to preserve the members of that society in their lives, liberties, and possessions; and so cannot be an absolute arbitrary power over their lives and fortunes, which are as much as possible to be preserved; but a power to make laws, and annex such penalties to them, as may tend to the preservation of the whole, by cutting off those parts, and those only, which are so corrupt that they threaten the sound and healthy, without which no severity is lawful. And this power has its original only from compact and agreement, and the mutual consent of those who make up the community.

§ 172. Thirdly, despotical power is an absolute, arbitrary power one man has over another, to take away his life whenever he pleases. This is a power, which neither nature gives, for it has made no such distinction between one man and another, nor compact can convey; for man not having such an arbitrary power over his own life, cannot give another man such

a power over it; but it is the effect only of forfeiture, which the aggressor makes of his own life, when he puts himself into the state of war with another: for having quitted reason, which God hath given to be the rule betwixt man and man, and the common bond whereby human kind is united into one fellowship and society, and having renounced the way of peace which that teaches, and made use of the force of war, to compass his unjust ends upon another, where he has no right; and so revolting from his own kind to that of beasts, by making force, which is theirs, to be his rule of right; he renders himself liable to be destroyed by the injured person, and the rest of mankind, that will join with him in the execution of justice, as any other wild beast, or noxious brute, with whom mankind can have neither society nor security*. And thus captives, taken in a just and lawful war, and such only, are subject to a despotical power; which, as it arises not from compact, so neither is it capable of any, but is the state of war continued: for what compact can be made with a man that is not master of his own life? what condition can he perform? and if he be once allowed to be master of his own life, the despotical arbitrary power of his master ceases. He that is master of himself, and his own life, has a right too to the means of preserving it; so that, as soon as compact enters, slavery ceases, and he so far quits his absolute power, and puts an end to the state of war, who enters into conditions with his captive.

§ 173. Nature gives the first of these, viz. paternal power, to parents for the benefit of their children during their minority, to supply their want of ability and understanding how to manage their property. (By property I must be understood here, as in other places, to mean that property which men have in their persons as well as goods.) Voluntary agreement gives the second, viz. political power to governors for the benefit of their subjects, to secure them in the pos-

* Another copy, corrected by Mr. Locke, has it thus, "Noxious brute that is destructive to their being."

session and use of their properties. And forfeiture gives the third despotical power to lords, for their own benefit, over those who are stripped of all property.

§ 174. He that shall consider the distinct rise and extent, and the different ends of these several powers, will plainly see, that paternal power comes as far short of that of the magistrate, as despotical exceeds it; and that absolute dominion, however placed, is so far from being one kind of civil society, that it is as inconsistent with it, as slavery is with property. Paternal power is only where minority makes the child incapable to manage his property; political, where men have property in their own disposal; and despotical, over such as have no property at all.

CHAPTER XVI.

Of Conquest.

§ 175. Though governments can originally have no other rise than that before-mentioned, nor politics be founded on any thing but the consent of the people; yet such have been the disorders ambition has filled the world with, that in the noise of war, which makes so great a part of the history of mankind, this consent is little taken notice of: and therefore many have mistaken the force of arms for the consent of the people, and reckon conquest as one of the originals of government. But conquest is as far from setting up any government, as demolishing a house is from building a new one in the place. Indeed, it often makes way for a new frame of a commonwealth, by destroying the former; but, without the consent of the people, can never erect a new one.

§ 176. That the aggressor, who puts himself into the state of war with another, and unjustly invades another

man's right, can, by such an unjust war, never come to have a right over the conquered, will be easily agreed by all men, who will not think that robbers and pirates have a right of empire over whomsoever they have force enough to master, or that men are bound by promises which unlawful force extorts from them. Should a robber break into my house, and with a dagger at my throat make me seal deeds to convey my estate to him, would this give him any title? Just such a title, by his sword, has an unjust conqueror, who forces me into submission. The injury and the crime are equal, whether committed by the wearer of the crown or some petty villain. The title of the offender, and the number of his followers, make no difference in the offence, unless it be to aggravate it. The only difference is, great robbers punish little ones, to keep them in their obedience; but the great ones are rewarded with laurels and triumphs, because they are too big for the weak hands of justice in this world, and have the power in their own possession which should punish offenders. What is my remedy against a robber, that so broke into my house? Appeal to the law for justice. But perhaps justice is denied, or I am crippled and cannot stir, robbed and have not the means to do it. If God has taken away all means of seeking remedy, there is nothing left but patience. But my son, when able, may seek the relief of the law, which I am denied: he or his son may renew his appeal, till he recover his right. But the conquered, or their children, have no court, no arbitrator on earth to appeal to. Then they may appeal, as Jephthah did, to heaven, and repeat their appeal till they have recovered the native right of their ancestors, which was, to have such a legislative over them as the majority should approve, and freely acquiesce in. If it be objected, this would cause endless trouble; I answer, no more than justice does, where she lies open to all that appeal to her. He that troubles his neighbour without a cause, is punished for it by the justice of the court he appeals to; and he that appeals to heaven must be sure he has right on his side, and a right too that is worth the trouble and cost of the

appeal, as he will answer at a tribunal that cannot be deceived, and will be sure to retribute to every one according to the mischiefs he hath created to his fellow-subjects; that is, any part of mankind: from whence it is plain, that he that "conquers in an unjust war, can thereby have no title to the subjection and obedience of the conquered."

§ 177. But supposing victory favours the right side, let us consider a conqueror in a lawful war, and see what power he gets, and over whom.

First, It is plain he "gets no power by his conquest over those that conquered with him." They that fought on his side cannot suffer by the conquest, but must at least be as much freemen as they were before. And most commonly they serve upon terms, and on conditions to share with their leader, and enjoy a part of the spoil, and other advantages that attended the conquering sword; or at least have a part of the subdued country bestowed upon them. And "the conquering people are not, I hope, to be slaves by conquest," and wear their laurels only to show they are sacrifices to their leader's triumph. They that found absolute monarchy upon the title of the sword, make their heroes, who are the founders of such monarchies, arrant Drawcansirs, and forget they had any officers and soldiers that fought on their side in the battles they won, or assisted them in the subduing, or shared in possessing, the countries they mastered. We are told by some, that the English monarchy is founded in the Norman conquest, and that our princes have thereby a title to absolute dominion: which if it were true (as by the history it appears otherwise), and that William had a right to make war on this island, yet his dominion by conquest could reach no farther than to the Saxons and Britons, that were then inhabitants of this country. The Normans that came with him, and helped to conquer, and all descended from them, are freemen, and no subjects by conquest, let that give what dominion it will. And if I, or any body else, shall claim freedom, as derived from them, it will be very hard to prove the contrary; and it is plain the law, that has made

no distinction between the one and the other, intends not there should be any difference in their freedom or privileges.

§ 178. But supposing, which seldom happens, that the conquerors and conquered never incorporate into one people, under the same laws and freedom; let us see next "what power a lawful conqueror has over the subdued:" and that I say is purely despotical. He has an absolute power over the lives of those who by an unjust war have forfeited them; but not over the lives or fortunes of those who engaged not in the war, nor over the possessions even of those who were actually engaged in it.

§ 179. Secondly, I say then the conqueror gets no power but only over those who have actually assisted, concurred, or consented to that unjust force that is used against him: for the people having given to their governors no power to do an unjust thing, such as is to make an unjust war (for they never had such a power in themselves) they ought not to be charged as guilty of the violence and injustice that is committed in an unjust war, any farther than they actually abet it, no more than they are to be thought guilty of any violence or oppression their governors should use upon the people themselves, or any part of their fellow-subjects, they having empowered them no more to the one than to the other. Conquerors, it is true, seldom trouble themselves to make the distinction, but they willingly permit the confusion of war to sweep all together: but yet this alters not the right; for the conqueror's power over the lives of the conquered being only because they have used force to do, or maintain an injustice, he can have that power only over those who have concurred in that force; all the rest are innocent; and he has no more title over the people of that country, who have done him no injury, and so have made no forfeiture of their lives, than he has over any other, who, without any injuries or provocations, have lived upon fair terms with him.

§ 180. Thirdly, The power a conqueror gets over those he overcomes in a just war, is perfectly despotical:

he has an absolute power over the lives of those, who, by putting themselves in a state of war, have forfeited them; but he has not thereby a right and title to their possessions. This I doubt not but at first sight will seem a strange doctrine, it being so quite contrary to the practice of the world; there being nothing more familiar in speaking of the dominion of countries, than to say such an one conquered it; as if conquest, without any more ado, conveyed a right of possession. But when we consider, that the practice of the strong and powerful, how universal soever it may be, is seldom the rule of right, however it be one part of the subjection of the conquered, not to argue against the conditions cut out to them by the conquering sword.

§ 181. Though in all war there be usually a complication of force and damage, and the aggressor seldom fails to harm the estate, when he uses force against the persons of those he makes war upon; yet it is the use of force only that puts a man into the state of war: for whether by force he begins the injury, or else having quietly, and by fraud, done the injury, he refuses to make reparation, and by force maintains it (which is the same thing, as at first to have done it by force), it is the unjust use of force that makes the war: for he that breaks open my house, and violently turns me out of doors; or, having peaceably got in, by force keeps me out, does in effect the same thing; supposing we are in such a state that we have no common judge on earth whom I may appeal to, and to whom we are both obliged to submit; for of such I am now speaking. It is the "unjust use of force then, that puts a man into the state of war" with another; and thereby he that is guilty of it makes a forfeiture of his life: for quitting reason, which is the rule given between man and man, and using force, the way of beasts, he becomes liable to be destroyed by him he uses force against, as any savage ravenous beast, that is dangerous to his being.

§ 182. But because the miscarriages of the father are no faults of the children, and they may be rational and peaceable, notwithstanding the brutishness and injustice

of the father; the father, by his miscarriages and violence, can forfeit but his own life, but involves not his children in his guilt or destruction. His goods, which nature, that willeth the preservation of all mankind as much as is possible, hath made to belong to the children to keep them from perishing, do still continue to belong to his children; for supposing them not to have joined in the war, either through infancy, absence, or choice, they have done nothing to forfeit them: nor has the conqueror any right to take them away, by the bare title of having subdued him that by force attempted his destruction; though perhaps he may have some right to them, to repair the damages he has sustained by the war, and the defence of his own right; which how far it reaches to the possessions of the conquered, we shall see by and by. So that he that by conquest has a right over a man's person to destroy him if he pleases, has not thereby a right over his estate to possess and enjoy it; for it is the brutal force the aggressor has used that gives his adversary a right to take away his life, and destroy him, if he pleases, as a noxious creature; but it is damage sustained that alone gives him title to another man's goods: for though I may kill a thief that sets on me in the highway, yet I may not (which seems less) take away his money and let him go: this would be robbery on my side. His force, and the state of war he put himself in, made him forfeit his life, but gave me no title to his goods. The right then of conquest extends only to the lives of those who joined in the war, not to their estates, but only in order to make reparation for the damages received, and the charges of the war; and that too with reservation of the right of the innocent wife and children.

§ 183. Let the conqueror have as much justice on his side as could be supposed, he has no right to seize more than the vanquished could forfeit: his life is at the victor's mercy; and his service and goods he may appropriate to make himself reparation; but he cannot take the goods of his wife and children: they too had a title to the goods he enjoyed, and their shares in the estate he possessed: for example, I in the state of

nature (and all commonwealths are in the state of nature one with another) have injured another man, and refusing to give satisfaction, it comes to a state of war, wherein my defending by force what I had gotten unjustly makes me the aggressor. I am conquered: my life, it is true, as forfeit, is at mercy, but not my wife's and children's. They made not the war, nor assisted in it. I could not forfeit their lives; they were not mine to forfeit. My wife had a share in my estate; that neither could I forfeit. And my children also, being born of me, had a right to be maintained out of my labour or substance. Here then is the case: the conqueror has a title to reparation for damages received, and the children have a title to their father's estate for their subsistence: for as to the wife's share, whether her own labour, or compact, gave her a title to it, it is plain her husband could not forfeit what was hers. What must be done in the case? I answer; the fundamental law of nature being, that all, as much as may be, should be preserved, it follows, that if there be not enough fully to satisfy both, viz. for the conqueror's losses, and children's maintenance, he that hath, and to spare, must remit something of his full satisfaction, and give way to the pressing and preferable title of those who are in danger to perish without it.

§ 184. But supposing the charge and damages of the war are to be made up to the conqueror, to the utmost farthing; and that the children of the vanquished, spoiled of all their father's goods, are to be left to starve and perish; yet the satisfying of what shall, on this score, be due to the conqueror, will scarce give him a title to any country he shall conquer: for the damages of war can scarce amount to the value of any considerable tract of land, in any part of the world, where all the land is possessed, and none lies waste. And if I have not taken away the conqueror's land, which, being vanquished, it is impossible I should; scarce any other spoil I have done him can amount to the value of mine, supposing it equally cultivated, and of an extent any way coming near what I had over-run of his. The destruction of a year's product or two (for it sel-

dom reaches four or five) is the utmost spoil that usually can be done: for as to money, and such riches and treasure taken away, these are none of nature's goods, they have but a fantastical imaginary value: nature has put no such upon them: they are of no more account by her standard, than the wampompeke of the Americans to an European prince, or the silver money of Europe would have been formerly to an American. And five years product is not worth the perpetual inheritance of land, where all is possessed, and none remains waste, to be taken up by him that is disseized: which will be easily granted, if one do but take away the imaginary value of money, the disproportion being more than between five and five hundred; though, at the same time, half a year's product is more worth than the inheritance, where there being more land than the inhabitants possess and make use of, any one has liberty to make use of the waste: but there conquerors take little care to possess themselves of the lands of the vanquished. No damage, therefore, that men in the state of nature (as all princes and governments are in reference to one another) suffer from one another, can give a conqueror power to dispossess the posterity of the vanquished, and turn them out of that inheritance, which ought to be the possession of them and their descendants to all generations. The conqueror indeed will be apt to think himself master: and it is the very condition of the subdued not to be able to dispute their right. But if that be all, it gives no other title than what bare force gives to the stronger over the weaker: and, by this reason, he that is strongest will have a right to whatever he pleases to seize on.

§ 185. Over those then that joined with him in the war, and over those of the subdued country that opposed him not, and the posterity even of those that did, the conqueror, even in a just war, hath, by his conquest, no right of dominion: they are free from any subjection to him, and if their former government be dissolved, they are at liberty to begin and erect another to themselves.

§ 186. The conqueror, it is true, usually, by the force he has over them, compels them, with a sword at their breasts, to stoop to his conditions, and submit to such a government as he pleases to afford them; but the inquiry is, what right he has to do so? If it be said, they submit by their own consent, then this allows their own consent to be necessary to give the conqueror a title to rule over them. It remains only to be considered, whether promises extorted by force, without right, can be thought consent, and how far they bind. To which I shall say, they bind not at all; because whatsoever another gets from me by force, I still retain the right of, and he is obliged presently to restore. He that forces my horse from me, ought presently to restore him, and I have still a right to retake him. By the same reason, he that forced a promise from me, ought presently to restore it, *i. e.* quit me of the obligation of it; or I may resume it myself, *i. e.* choose whether I will perform it: for the law of nature laying an obligation on me only by the rules she prescribes, cannot oblige me by the violation of her rules: such is the extorting any thing from me by force. Nor does it at all alter the case to say, "I gave my promise," no more than it excuses the force, and passes the right, when I put my hand in my pocket and deliver my purse myself to a thief, who demands it with a pistol at my breast.

§ 187. From all which it follows, that the government of a conqueror, imposed by force on the subdued, against whom he had no right of war, or who joined not in the war against him, where he had right, has no obligation upon them.

§ 188. But let us suppose that all the men of that community, being all members of the same body politic, may be taken to have joined in that unjust war wherein they are subdued, and so their lives are at the mercy of the conqueror.

§ 189. I say, this concerns not their children who are in their minority: for since a father hath not, in himself, a power over the life or liberty of his child, no act of his can possibly forfeit it. So that the child-

ren, whatever may have happened to the fathers, are freemen, and the absolute power of the conqueror reaches no farther than the persons of the men that were subdued by him, and dies with them: and should he govern them as slaves, subjected to his absolute arbitrary power, he has no such right or dominion over their children. He can have no power over them but by their own consent, whatever he may drive them to say or do; and he has no lawful authority, whilst force, and not choice, compels them to submission.

§ 190. Every man is born with a double right: first, a right of freedom to his person, which no other man has a power over, but the free disposal of it lies in himself. Secondly, a right, before any other man, to inherit with his brethren his father's goods.

§ 191. By the first of these, a man is naturally free from subjection to any government, though he be born in a place under its jurisdiction; but if he disclaim the lawful government of the country he was born in, he must also quit the right that belonged to him by the laws of it, and the possessions there descending to him from his ancestors, if it were a government made by their consent.

§ 192. By the second, the inhabitants of any country, who are descended, and derive a title to their estates from those who are subdued, and had a government forced upon them against their free consents, retain a right to the possession of their ancestors, though they consent not freely to the government, whose hard conditions were by force imposed on the possessors of that country: for, the first conqueror never having had a title to the land of that country, the people who are the descendants of, or claim under those who were forced to submit to the yoke of a government by constraint, have always a right to shake it off, and free themselves from the usurpation or tyranny which the sword hath brought in upon them, till their rulers put them under such a frame of government as they willingly and of choice consent to. Who doubts but the Grecian Christians, descendants of the ancient possessors of that country, may justly cast off the Turkish

yoke, which they have so long groaned under, whenever they have an opportunity to do it? For no government can have a right to obedience from a people who have not freely consented to it; which they can never be supposed to do, till either they are put in a full state of liberty to choose their government and governors, or at least till they have such standing laws, to which they have by themselves or their representatives given their free consent; and also till they are allowed their due property, which is so to be proprietors of what they have, that nobody can take away any part of it without their own consent, without which, men under any government are not in the state of freemen, but are direct slaves under the force of war.

§ 193. But granting that the conqueror in a just war has a right to the estates, as well as power over the persons of the conquered; which, it is plain, he hath not: nothing of absolute power will follow from hence, in the continuance of the government; because the descendants of these being all freemen, if he grants them estates and possessions to inhabit his country, (without which it would be worth nothing) whatsoever he grants them, they have, so far as it is granted, property in.—The nature whereof is, that "without a man's own consent, it cannot be taken from him."

§ 194. Their persons are free by a native right, and their properties, be they more or less, are their own, and at their own dispose, and not at his; or else it is no property. Supposing the conqueror gives to one man a thousand acres, to him and his heirs for ever; to another he lets a thousand acres for his life, under the rent of 50*l.* or 500*l.* per ann.: has not the one of these a right to his thousand acres for ever, and the other during his life, paying the said rent? and hath not the tenant for life a property in all that he gets over and above his rent, by his labour and industry during the said term, supposing it to be double the rent? Can any one say, the king, or conqueror, after his grant, may by his power of conqueror take away all, or part of the land from the heirs of one, or from the other during his

life, he paying the rent? or can he take away from either the goods or money they have got upon the said land, at his pleasure? If he can, then all free and voluntary contracts cease, and are void in the world; there needs nothing to dissolve them at any time, but power enough; and all the grants and promises of men in power are but mockery and collusion: for can there be any thing more ridiculous than to say, I give you and yours this for ever, and that in the surest and most solemn way of conveyance can be devised; and yet it is to be understood, that I have right, if I please, to take it away from you again to-morrow?

§ 195. I will not dispute now, whether princes are exempt from the laws of their country; but this I am sure, they owe subjection to the laws of God and nature. Nobody, no power, can exempt them from the obligations of that eternal law. Those are so great, and so strong, in the case of promises, that omnipotency itself can be tied by them. Grants, promises, and oaths, are bonds that hold the Almighty: whatever some flatterers say to princes of the world, who all together, with all their people joined to them, are in comparison of the great God, but as a drop of the bucket, or a dust on the balance, inconsiderable, nothing.

§ 196. The short of the case in conquest is this: the conqueror, if he have a just cause, has a despotical right over the persons of all that actually aided, and concurred in the war against him, and a right to make up his damage and cost out of their labour and estates, so he injure not the right of any other. Over the rest of the people, if there were any that consented not to the war, and over the children of the captives themselves, or the possessions of either, he has no power; and so can have, by virtue of conquest, no lawful title himself to dominion over them, or derive it to his posterity; but is an aggressor, if he attempts upon their properties, and thereby puts himself in a state of war against them: and has no better a right of principality, he, nor any of his successors, than Hingar, or Hubba,

the Danes, had here in England; or Spartacus, had he conquered Italy, would have had; which is to have their yoke cast off, as soon as God shall give those under their subjection courage and opportunity to do it. Thus, notwithstanding whatever title the kings of Assyria had over Judah, by the sword, God assisted Hezekiah to throw off the dominion of that conquering empire. "And the Lord was with Hezekiah, and he prospered; wherefore he went forth, and he rebelled against the king of Assyria; and served him not," 2 Kings, xviii. 7. Whence it is plain, that shaking off a power, which force, and not right, hath set over any one, though it hath the name of rebellion, yet is no offence before God, but is that which he allows and countenances, though even promises and covenants, when obtained by force, have intervened: for it is very probable, to any one that reads the story of Ahaz and Hezekiah attentively, that the Assyrians subdued Ahaz, and deposed him, and made Hezekiah king in his father's lifetime; and that Hezekiah by agreement had done him homage, and paid him tribute all this time.

CHAPTER XVII.

Of Usurpation.

§ 197. As conquest may be called a foreign usurpation, so usurpation is a kind of domestic conquest; with this difference, that an usurper can never have right on his side, it being no usurpation but where one is got into the possession of what another has right to. This, so far as it is usurpation, is a change only of persons, but not of the forms and rules of the government: for if the usurper extend his power be-

yond what of right belonged to the lawful princes or governors of the commonwealth, it is tyranny added to usurpation.

§ 198. In all lawful governments, the designation of the persons, who are to bear rule, is as natural and necessary a part as the form of the government itself; and is that which had its establishment originally from the people: the anarchy being much alike to have no form of government at all, or to agree that it shall be monarchical, but to appoint no way to design the person that shall have the power, and be the monarch.—Hence all commonwealths, with the form of government established, have rules also of appointing those who are to have any share in the public authority, and settled methods of conveying the right to them: for the anarchy is much alike to have no form of government at all, or to agree that it shall be monarchical, but to appoint no way to know or design the person that shall have the power, and be the monarch. Whoever gets into the exercise of any part of the power, by other ways than what the laws of the community have prescribed, hath no right to be obeyed, though the form of the commonwealth be still preserved; since he is not the person the laws have appointed, and consequently not the person the people have consented to. Nor can such an usurper, or any deriving from him, ever have a title, till the people are both at liberty to consent, and have actually consented to allow, and confirm in him the power he hath till then usurped.

CHAPTER XVIII.

Of Tyranny.

§ 199. As usurpation is the exercise of power, which another hath a right to, so tyranny is the exercise of power beyond right, which nobody can have a right to. And this is making use of the power any one has in his hands, not for the good of those who are under it, but for his own private, separate advantage.—When the governor, however entitled, makes not the law, but his will, the rule; and his commands and actions are not directed to the preservation of the properties of his people, but the satisfaction of his own ambition, revenge, covetousness, or any other irregular passion.

§ 200. If one can doubt this to be truth or reason, because it comes from the obscure hand of a subject, I hope the authority of a king will make it pass with him. King James the First, in his speech to the parliament, 1603, tells them thus: "I will ever prefer the weal of the public, and of the whole commonwealth, in making of good laws and constitutions, to any particular and private ends of mine; thinking ever the wealth and weal of the commonwealth to be my greatest weal and worldly felicity; a point wherein a lawful king doth directly differ from a tyrant: for I do acknowledge, that the special and greatest point of difference that is between a rightful king and an usurping tyrant is this, that whereas the proud and ambitious tyrant doth think his kingdom and people are only ordained for satisfaction of his desires and unreasonable appetites, the righteous and just king doth, by the contrary, acknowledge himself to be ordained for the procuring of the wealth and property of his people." And again, in his speech to the

parliament, 1609, he hath these words: "The king binds himself by a double oath to the observation of the fundamental laws of his kingdom; tacitly, as by being a king, and so bound to protect as well the people, as the laws of his kingdom; and expressly, by his oath at his coronation; so as every just king, in a settled kingdom, is bound to observe that paction made to his people by his laws, in framing his government agreeable thereunto, according to that paction which God made with Noah after the deluge: Hereafter, seed-time and harvest, and cold and heat, and summer and winter, and day and night, shall not cease while the earth remaineth. And therefore a king governing in a settled kingdom, leaves to be a king, and degenerates into a tyrant, as soon as he leaves off to rule according to his laws." And a little after, "Therefore all kings that are not tyrants, or perjured, will be glad to bound themselves within the limits of their laws; and they that persuade them the contrary, are vipers, and pests both against them and the commonwealth." Thus that learned king, who well understood the notions of things, makes the difference betwixt a king and a tyrant to consist only in this, that one makes the laws the bounds of his power, and the good of the public the end of his government; the other makes all give way to his own will and appetite.

§ 201. It is a mistake to think this fault is proper only to monarchies; other forms of government are liable to it, as well as that: for wherever the power, that is put in any hands for the government of the people, and the preservation of their properties, is applied to other ends, and made use of to impoverish, harass, or subdue them to the arbitrary and irregular commands of those that have it; there it presently becomes tyranny, whether those that thus use it are one or many. Thus we read of the thirty tyrants at Athens, as well as one at Syracuse; and the intolerable dominion of the decemviri at Rome was nothing better.

§ 202. Wherever law ends, tyranny begins, if the law be transgressed to another's harm; and whosoever in authority exceeds the power given him by the law, and makes use of the force he has under his command, to compass that upon the subject which the law allows not, ceases in that to be a magistrate; and, acting without authority, may be opposed as any other man who by force invades the right of another. This is acknowledged in subordinate magistrates. He that hath authority to seize my person in the street, may be opposed as a thief and a robber if he endeavours to break into my house to execute a writ, notwithstanding that I know he has such a warrant, and such a legal authority as will impower him to arrest me abroad. And why this should not hold in the highest, as well as in the most inferior magistrate, I would gladly be informed. Is it reasonable that the eldest brother, because he has the greatest part of his father's estate, should thereby have a right to take away any of his younger brother's portions? or that a rich man, who possessed a whole country, should from thence have a right to seize, when he pleased, the cottage and garden of his poor neighbour? The being rightfully possessed of great power and riches, exceedingly beyond the greatest part of the sons of Adam, is so far from being an excuse, much less a reason, for rapine and oppression, which the endamaging another without authority is, that it is a great aggravation of it: for the exceeding the bounds of authority is no more a right in a great, than in a petty officer; no more justifiable in a king than a constable; but is so much the worse in him, in that he has more trust put in him, has already a much greater share than the rest of his brethren, and is supposed, from the advantages of his education, employment, and counsellors, to be more knowing in the measures of right and wrong.

§ 203. "May the commands then of a prince be opposed? may he be resisted as often as any one shall find himself aggrieved, and but imagine he has not right done him? This will unhinge and overturn all

politics, and, instead of government and order, leave nothing but anarchy and confusion."

§ 204. To this I answer, that force is to be opposed to nothing but to unjust and unlawful force; whoever makes any opposition in any other case, draws on himself a just condemnation both from God and man; and so no such danger or confusion will follow, as is often suggested: for,

§ 205. First, As, in some countries, the person of the prince by the law is sacred; and so, whatever he commands or does, his person is still free from all question or violence, not liable to force, or any judicial censure or condemnation. But yet opposition may be made to the illegal acts of any inferior officer, or other commissioned by him, unless he will, by actually putting himself into a state of war with his people, dissolve the government, and leave them to that defence which belongs to every one in the state of nature: for of such things who can tell what the end will be? and a neighbour kingdom has showed the world an odd example. In all other cases the sacredness of the person exempts him from all inconveniences, whereby he is secure, whilst the government stands, from all violence and harm whatsoever; than which there cannot be a wiser constitution: for the harm he can do in his own person not being likely to happen often, nor to extend itself far; nor being able by his single strength to subvert the laws, nor oppress the body of the people; should any prince have so much weakness and ill-nature as to be willing to do it, the inconveniency of some particular mischiefs that may happen sometimes, when a heady prince comes to the throne, are well recompensed by the peace of the public, and security of the government, in the person of the chief magistrate, thus set out of the reach of danger: it being safer for the body, that some few private men should be sometimes in danger to suffer, than that the head of the republic should be easily, and upon slight occasions, exposed.

§ 206. Secondly, But this privilege belonging only to the king's person, hinders not, but they may be

questioned, opposed, and resisted, who use unjust force, though they pretend a commission from him, which the law authorizes not; as is plain in the case of him that has the king's writ to arrest a man, which is a full commission from the king; and yet he that has it cannot break open a man's house to do it, nor execute this command of the king upon certain days, nor in certain places, though this commission have no such exception in it; but they are the limitations of the law, which if any one transgress, the king's commission excuses him not; for the king's authority being given him only by the law, he cannot empower any one to act against the law, or justify him, by his commission, in so doing; the commission or command of any magistrate, where he has no authority, being as void and insignificant as that of any private man; the difference between the one and the other being that the magistrate has some authority so far, and to such ends, and the private man has none at all: for it is not the commission, but the authority, that gives the right of acting; and against the laws there can be no authority. But, notwithstanding such resistance, the king's person and authority are still both secured, and so no danger to governor or government.

§ 207. Thirdly, Supposing a government wherein the person of the chief magistrate is not thus sacred; yet this doctrine of the lawfulness of resisting all unlawful exercises of his power, will not upon every slight occasion endanger him, or embroil the government: for where the injured party may be relieved, and his damages repaired by appeal to the law, there can be no pretence for force, which is only to be used where a man is intercepted from appealing to the law: for nothing is to be accounted hostile force, but where it leaves not the remedy of such an appeal; and it is such force alone that puts him that uses it into a state of war, and makes it lawful to resist him. A man with a sword in his hand demands my purse in the highway, when perhaps I have not twelve-pence in my pocket: this man I may lawfully kill. To another I deliver 100*l.* to hold only whilst I alight, which he refuses to restore

me, when I am got up again, but draws his sword to defend the possession of it by force, if I endeavour to retake it. The mischief this man does me is an hundred, or possibly a thousand times more than the other perhaps intended me (whom I killed before he really did me any); and yet I might lawfully kill the one, and cannot so much as hurt the other lawfully. The reason whereof is plain; because the one using force, which threatened my life, I could not have time to appeal to the law to secure it; and when it was gone, it was too late to appeal. The law could not restore life to my dead carcase, the loss was irreparable: which to prevent, the law of nature gave me a right to destroy him, who had put himself into a state of war with me, and threatened my destruction. But in the other case, my life not being in danger, I may have the benefit of appealing to the law, and have reparation for my 100*l.* that way.

§ 208. Fourthly, But if the unlawful acts done by the magistrate be maintained (by the power he has got), and the remedy which is due by law be by the same power obstructed, yet the right of resisting, even in such manifest acts of tyranny, will not suddenly, or on slight occasions, disturb the government: for if it reach no farther than some private mens' cases, though they have a right to defend themselves, and to recover by force what by unlawful force is taken from them; yet the right to do so will not easily engage them in a contest, wherein they are sure to perish; it being as impossible for one, or a few oppressed men to disturb the government, where the body of the people do not think themselves concerned in it, as for a raving madman, or heady malecontent, to overturn a well-settled state; the people being as little apt to follow the one as the other.

§ 209. But if either these illegal acts have extended to the majority of the people, or if the mischief and oppression has lighted only on some few, but in such cases, as the precedent and consequences seem to threaten all; and they are persuaded in their consciences, that their laws, and with them their estates, liberties, and

lives are in danger, and perhaps their religion too; how they will be hindered from resisting illegal force, used against them, I cannot tell. This is an inconvenience, I confess, that attends all governments whatsoever, when the governors have brought it to this pass, to be generally suspected of their people; the most dangerous state which they can possibly put themselves in; wherein they are less to be pitied, because it is so easy to be avoided; it being as impossible for a governor, if he really means the good of his people, and the preservation of them, and their laws together, not to make them see and feel it, as it is for the father of a family not to let his children see he loves and takes care of them.

§ 210. But if all the world shall observe pretences of one kind, and actions of another; arts used to elude the law, and the trust of prerogative (which is an arbitrary power in some things left in the prince's hand to do good, not harm to the people) employed contrary to the end for which it was given: if the people shall find the ministers and subordinate magistrates chosen suitable to such ends, and favoured, or laid by, proportionably as they promote or oppose them: if they see several experiments made of arbitrary power, and that religion underhand favoured (though publicly proclaimed against), which is readiest to introduce it; and the operators in it supported, as much as may be; and when that cannot be done, yet approved still, and liked the better: if a long train of actions show the councils all tending that way, how can a man any more hinder himself from being persuaded in his own mind which way things are going; or from casting about how to save himself, than he could from believing the captain of the ship he was in, was carrying him, and the rest of the company, to Algiers, when he found him always steering that course, though cross winds, leaks in his ship, and want of men and provisions did often force him to turn his course another way for some time, which he steadily returned to again, as soon as the wind, weather, and other circumstances would let him?

CHAPTER XIX.

Of the Dissolution of Government.

§ 211. He that will with any clearness speak of the dissolution of government, ought in the first place to distinguish between the dissolution of the society and the dissolution of the government. That which makes the community, and brings men out of the loose state of nature into one politic society, is the agreement which every one has with the rest to incorporate, and act as one body, and so be one distinct commonwealth. The usual, and almost only way whereby this union is dissolved, is the inroad of foreign force making a conquest upon them: for in that case (not being able to maintain and support themselves as one entire and independent body), the union belonging to that body which consisted therein, must necessarily cease, and so every one return to the state he was in before, with a liberty to shift for himself, and provide for his own safety, as he thinks fit, in some other society. Whenever the society is dissolved, it is certain the government of that society cannot remain. Thus conquerors' swords often cut up governments by the roots, and mangle societies to pieces, separating the subdued or scattered multitude from the protection of, and dependence on, that society which ought to have preserved them from violence. The world is too well instructed in, and too forward to allow of, this way of dissolving of governments, to need any more to be said of it; and there wants not much argument to prove, that where the society is dissolved, the government cannot remain; that being as impossible, as for the frame of a house to subsist when the materials of it are scattered and dissipated by a whirlwind, or jumbled into a confused heap by an earthquake.

§ 212. Besides this overturning from without, governments are dissolved from within.

First, When the legislative is altered. Civil society being a state of peace, amongst those who are of it from whom the state of war is excluded by the umpirage, which they have provided in their legislative, for the ending all differences that may arise amongst any of them; it is in their legislative, that the members of a commonwealth are united, and combined together into one coherent living body. This is the soul that gives form, life, and unity to the commonwealth: from hence the several members have their mutual influence, sympathy, and connexion: and therefore, when the legislative is broken or dissolved, dissolution and death follows: for, the essence and union of the society consisting in having one will, the legislative, when once established by the majority, has the declaring, and as it were keeping of that will. The constitution of the legislative is the first and fundamental act of society, whereby provision is made for the continuation of their union, under the direction of persons, and bonds of laws, made by persons authorized thereunto, by the consent and appointment of the people; without which no one man, or number of men, amongst them, can have authority of making laws that shall be binding to the rest. When any one, or more, shall take upon them to make laws, whom the people have not appointed so to do, they make laws without authority, which the people are not therefore bound to obey; by which means they come again to be out of subjection, and may constitute to themselves a new legislative, as they think best, being in full liberty to resist the force of those, who without authority would impose any thing upon them. Every one is at the disposure of his own will, when those who had, by the delegation of the society, the declaring of the public will, are excluded from it, and others usurp the place, who have no such authority or delegation.

§ 213. This being usually brought about by such in the commonwealth who misuse the power they have, it is hard to consider it aright, and know at whose door

to lay it, without knowing the form of government in which it happens. Let us suppose then the legislative placed in the concurrence of three distinct persons.

1. A single hereditary person, having the constant, supreme, executive power, and with it the power of convoking and dissolving the other two, within certain periods of time.

2. An assembly of hereditary nobility.

3. An assembly of representatives chosen, *pro tempore*, by the people. Such a form of government supposed, it is evident,

§ 214. First, That when such a single person, or prince, sets up his own arbitrary will in place of the laws, which are the will of the society, declared by the legislative, then the legislative is changed: for that being in effect the legislative, whose rules and laws are put in execution, and required to be obeyed; when other laws are set up, and other rules pretended, and enforced, than what the legislative, constituted by the society, have enacted, it is plain that the legislative is changed. Whoever introduces new laws, not being thereunto authorized by the fundamental appointment of the society, or subverts the old; disowns and overturns the power by which they were made, and so sets up a new legislative.

§ 215. Secondly, When the prince hinders the legislative from assembling in its due time, or from acting freely, pursuant to those ends for which it was constituted, the legislative is altered: for it is not a certain number of men, no, nor their meeting, unless they have also freedom of debating, and leisure of perfecting, what is for the good of the society, wherein the legislative consists: when these are taken away or altered, so as to deprive the society of the due exercise of their power, the legislative is truly altered: for it is not names that constitute governments, but the use and exercise of those powers that were intended to accompany them; so that he, who takes away the freedom, or hinders the acting of the legislative in its due seasons, in effect takes away the legislative, and puts an end to the government.

§ 216. Thirdly, When, by the arbitrary power of the prince, the electors, or ways of election, are altered, without the consent, and contrary to the common interest of the people, there also the legislative is altered: for if others than those whom the society hath authorized thereunto, do choose, or in another way than what the society hath prescribed, those chosen are not the legislative appointed by the people.

§ 217. Fourthly, The delivery also of the people into the subjection of a foreign power, either by the prince or by the legislative, is certainly a change of the legislative, and so a dissolution of the government: for the end why people entered into society being to be preserved one entire, free, independent society, to be governed by its own laws; this is lost, whenever they are given up into the power of another.

§ 218. Why, in such a constitution as this, the dissolution of the government in these cases is to be imputed to the prince, is evident; because he, having the force, treasure, and offices of the state to employ, and often persuading himself, or being flattered by others, that as supreme magistrate he is uncapable of control; he alone is in a condition to make great advances toward such changes, under pretence of lawful authority, and has it in his hands to terrify or suppress opposers, as factious, seditious, and enemies to the government: whereas no other part of the legislative, or people, is capable by themselves to attempt any alteration of the legislative, without open and visible rebellion, apt enough to be taken notice of; which, when it prevails, produces effects very little different from foreign conquest. Besides, the prince in such a form of government having the power of dissolving the other parts of the legislative, and thereby rendering them private persons, they can never in opposition to him, or without his concurrence, alter the legislative by a law, his consent being necessary to give any of their decrees that sanction. But yet, so far as the other parts of the legislative any way contribute to any attempt upon the government, and do either promote, or not (what lies in them) hinder such designs; they are guilty, and par-

take in this, which is certainly the greatest crime men can be guilty of one towards another.

§ 219. There is one way more whereby such a government may be dissolved, and that is, when he who has the supreme executive power, neglects and abandons that charge, so that the laws already made can no longer be put in execution. This is demonstratively to reduce all to anarchy, and so effectually to dissolve the government: for laws not being made for themselves, but to be, by their execution, the bonds of the society, to keep every part of the body politic in its due place and function; when that totally ceases, the government visibly ceases, and the people become a confused multitude, without order or connexion. Where there is no longer the administration of justice, for the securing of men's rights, nor any remaining power within the community to direct the force, or provide for the necessities of the public; there certainly is no government left. Where the laws cannot be executed, it is all one as if there were no laws; and a government without laws is, I suppose, a mystery in politics, inconceivable to human capacity, and inconsistent with human society.

§ 220. In these and the like cases, when the government is dissolved, the people are at liberty to provide for themselves, by erecting a new legislative, differing from the other, by the change of persons, or form, or both, as they shall find it most for their safety and good: for the society can never, by the fault of another, lose the native and original right it has to preserve itself; which can only be done by a settled legislative, and a fair and impartial execution of the laws made by it. But the state of mankind is not so miserable that they are not capable of using this remedy, till it be too late to look for any. To tell people they may provide for themselves, by erecting a new legislative, when by oppression, artifice, or being delivered over to a foreign power, their old one is gone, is only to tell them, they may expect relief when it is too late, and the evil is past cure. This is in effect no more than to bid them first be slaves, and then to take care of their liberty; and when their chains are on, tell them they may act

like freemen. This, if barely so, is rather mockery than relief; and men can never be secure from tyranny, if there be no means to escape it till they are perfectly under it; and therefore it is, that they have not only a right to get out of it, but to prevent it.

§ 221. There is therefore, secondly, another way whereby governments are dissolved, and that is, when the legislative, or the prince, either of them, act contrary to their trust.

First, the legislative acts against the trust reposed in them, when they endeavour to invade the property of the subject, and to make themselves, or any part of the community, masters, or arbitrary disposers of the lives, liberties, or fortunes of the people.

§ 222. The reason why men enter into society is the preservation of their property; and the end why they choose and authorize a legislative is, that there may be laws made, and rules set, as guards and fences to the properties of all the members of the society: to limit the power, and moderate the dominion, of every part and member of the society: for since it can never be supposed to be the will of the society that the legislative should have a power to destroy that which every one designs to secure by entering into society, and for which the people submitted themselves to legislators of their own making; whenever the legislators endeavour to take away and destroy the property of the people, or to reduce them to slavery under arbitrary power, they put themselves into a state of war with the people, who are thereupon absolved from any farther obedience, and are left to the common refuge, which God hath provided for all men, against force and violence. Whensoever therefore the legislative shall transgress this fundamental rule of society; and either by ambition, fear, folly, or corruption, endeavour to grasp themselves, or put into the hands of any other, an absolute power over the lives, liberties, and estates of the people; by this breach of trust they forfeit the power the people had put into their hands for quite contrary ends, and it devolves to the people, who have a right to resume their original liberty, and, by the

establishment of a new legislative, (such as they shall think fit) provide for their own safety and security, which is the end for which they are in society. What I have said here, concerning the legislative in general, holds true also concerning the supreme executor, who having a double trust put in him, both to have a part in the legislative, and the supreme execution of the law, acts against both, when he goes about to set up his own arbitrary will as the law of the society. He acts also contrary to his trust, when he either employs the force, treasure, and offices of the society to corrupt the representatives, and gain them to his purposes; or openly pre-engages the electors, and prescribes to their choice, such, whom he has, by solicitations, threats, promises, or otherwise, won to his designs; and employs them to bring in such, who have promised beforehand what to vote, and what to enact. Thus to regulate candidates and electors, and new-model the ways of election, what is it but to cut up the government by the roots, and poison the very fountain of public security? for the people having reserved to themselves the choice of their representatives, as the fence to their properties, could do it for no other end, but that they might always be freely chosen, and so chosen, freely act, and advise, as the necessity of the commonwealth and the public good should, upon examination and mature debate, be judged to require. This, those who give their votes before they hear the debate, and have weighed the reasons on all sides, are not capable of doing. To prepare such an assembly as this, and endeavour to set up the declared abettors of his own will, for the true representatives of the people, and the law-makers of the society, is certainly as great a breach of trust, and as perfect a declaration of a design to subvert the government, as is possible to be met with. To which if one shall add rewards and punishments visibly employed to the same end, and all the arts of perverted law made use of, to take off and destroy all that stand in the way of such a design, and will not comply and consent to betray the liberties of their country, it will be past doubt what is doing. What power they ought to have

in the society, who thus employ it contrary to the trust that went along with it in its first institution, is easy to determine; and one cannot but see, that he, who has once attempted any such thing as this, cannot any longer be trusted.

§ 223. To this perhaps it will be said, that the people being ignorant, and always discontented, to lay the foundation of government in the unsteady opinion and uncertain humour of the people, is to expose it to certain ruin; and no government will be able long to subsist, if the people may set up a new legislative, whenever they take offence at the old one. To this I answer, quite the contrary. People are not so easily got out of their old forms, as some are apt to suggest. They are hardly to be prevailed with to amend the acknowledged faults in the frame they have been accustomed to. And if there be any original defects, or adventitious ones introduced by time, or corruption; it is not an easy thing to get them changed, even when all the world sees there is an opportunity for it. This slowness and aversion in the people to quit their old constitutions, has in the many revolutions, which have been seen in this kingdom, in this and former ages, still kept us to, or, after some interval of fruitless attempts, still brought us back again to, our old legislative of king, lords, and commons: and whatever provocations have made the crown be taken from some of our princes' heads, they never carried the people so far as to place it in another line.

§ 224. But it will be said, this hypothesis lays a ferment for frequent rebellion. To which I answer,

First, No more than any other hypothesis: for when the people are made miserable, and find themselves exposed to the ill usage of arbitrary power, cry up their governors as much as you will, for sons of Jupiter; let them be sacred and divine, descended, or authorized from heaven; give them out for whom or what you please, the same will happen. The people generally ill-treated, and contrary to right, will be ready upon any occasion to ease themselves of a burden that sits heavy upon them. They will wish, and seek for the

opportunity, which in the change, weakness, and accidents of human affairs, seldom delays long to offer itself. He must have lived but a little while in the world, who has not seen examples of this in his time; and he must have read very little, who cannot produce examples of it in all sorts of governments in the world.

§ 225. Secondly, I answer, such revolutions happen not upon every little mismanagement in public affairs. Great mistakes in the ruling part, many wrong and inconvenient laws, and all the slips of human frailty, will be born by the people without mutiny or murmur. But if a long train of abuses, prevarications, and artifices, all tending the same way, make the design visible to the people, and they cannot but feel what they lie under, and see whither they are going; it is not to be wondered, that they should then rouse themselves, and endeavour to put the rule into such hands which may secure to them the ends for which government was at first erected; and without which, ancient names, and specious forms, are so far from being better, that they are much worse, than the state of nature, or pure anarchy; the inconveniencies, being all as great and as near, but the remedy farther off and more difficult.

§ 226. Thirdly, I answer, that this doctrine of a power in the people of providing for their safety anew, by a new legislative, when their legislators have acted contrary to their trust, by invading their property, is the best fence against rebellion, and the probablest means to hinder it: for rebellion being an opposition, not to persons, but authority, which is founded only in the constitutions and laws of the government; those, whoever they be, who by force break through, and by force justify their violation of them, are truly and properly rebels: for when men, by entering into society and civil government, have excluded force, and introduced laws for the preservation of property, peace, and unity amongst themselves; those who set up force again in opposition to the laws, do *rebellare*, that is, bring back again the state of war, and are properly rebels: which they who are in power, (by the pretence they have to authority, the temptation of force they have in their hands, and

the flattery of those about them) being likeliest to do; the properest way to prevent the evil is to show them the danger and injustice of it, who are under the greatest temptation to run into it.

§ 227. In both the fore-mentioned cases, when either the legislative is changed, or the legislators act contrary to the end for which they were constituted, those who are guilty are guilty of rebellion: for if any one by force takes away the established legislative of any society, and the laws by them made pursuant to their trust, he thereby takes away the umpirage, which every one had consented to, for a peaceable decision of all their controversies, and a bar to the state of war amongst them. They, who remove, or change the legislative, take away this decisive power, which nobody can have but by the appointment and consent of the people; and so destroying the authority which the people did, and nobody else can set up, and introducing a power which the people hath not authorized, they actually introduce a state of war, which is that of force without authority; and thus, by removing the legislative established by the society (in whose decisions the people acquiesced and united, as to that of their own will) they untie the knot, and expose the people anew to the state of war. And if those, who by force take away the legislative, are rebels, the legislators themselves, as has been shown, can be no less esteemed so; when they, who were set up for the protection and preservation of the people, their liberties and properties, shall by force invade and endeavour to take them away; and so they putting themselves into a state of war with those who made them the protectors and guardians of their peace, are properly, and with the greatest aggravation, *rebellantes,* rebels.

§ 228. But if they, who say, "it lays a foundation for rebellion," mean that it may occasion civil wars, or intestine broils, to tell the people they are absolved from obedience when illegal attempts are made upon their liberties or properties, and may oppose the unlawful violence of those who were their magistrates, when they invade their properties contrary to the trust

put in them; and that therefore this doctrine is not to be allowed, being so destructive to the peace of the world: they may as well say, upon the same ground, that honest men may not oppose robbers or pirates, because this may occasion disorder or bloodshed. If any mischief come in such cases, it is not to be charged upon him who defends his own right, but on him that invades his neighbour's. If the innocent honest man must quietly quit all he has, for peace sake, to him who will lay violent hands upon it, I desire it may be considered, what a kind of peace there will be in the world, which consists only in violence and rapine; and which is to be maintained only for the benefit of robbers and oppressors. Who would not think it an admirable peace betwixt the mighty and the mean, when the lamb, without resistance, yielded his throat to be torn by the imperious wolf? Polyphemus's den gives us a perfect pattern of such a peace, and such a government, wherein Ulysses and his companions had nothing to do, but quietly to suffer themselves to be devoured. And no doubt Ulysses, who was a prudent man, preached up passive obedience, and exhorted them to a quiet submission, by representing to them of what concernment peace was to mankind; and by showing the inconveniencies might happen, if they should offer to resist Polyphemus, who had now the power over them.

§ 229. The end of government is the good of mankind: and which is best for mankind, that the people should be always exposed to the boundless will of tyranny; or that the rulers should be sometimes liable to be opposed, when they grow exorbitant in the use of their power, and employ it for the destruction, and not the preservation of the properties of their people?

§ 230. Nor let any one say, that mischief can arise from hence, as often as it shall please a busy head, or turbulent spirit, to desire the alteration of the government. It is true, such men may stir, whenever they please; but it will be only to their own just ruin and perdition: for till the mischief be grown general, and the ill designs of the rulers become visible, or their attempts sensible to the greater part, the people, who are

more disposed to suffer than right themselves by resistance, are not apt to stir. The examples of particular injustice or oppression, of here and there an unfortunate man, moves them not. But if they universally have a persuasion, grounded upon manifest evidence, that designs are carrying on against their liberties, and the general course and tendency of things cannot but give them strong suspicions of the evil intention of their governors, who is to be blamed for it? Who can help it, if they, who might avoid it, bring themselves into this suspicion? Are the people to be blamed, if they have the sense of rational creatures, and can think of things no otherwise than as they find and feel them? And is it not rather their fault, who put things into such a posture, that they would not have them thought to be as they are? I grant, that the pride, ambition, and turbulency of private men have sometimes caused great disorders in commonwealths, and factions have been fatal to states and kingdoms. But whether the mischief hath oftener begun in the people's wantonness, and a desire to cast off the lawful authority of their rulers, or in the rulers' insolence, and endeavours to get and exercise an arbitrary power over their people; whether oppression, or disobedience, gave the first rise to the disorder; I leave it to impartial history to determine. This I am sure, whoever, either ruler or subject, by force goes about to invade the rights of either prince or people, and lays the foundation for overturning the constitution and frame of any just government, is highly guilty of the greatest crime, I think, a man is capable of; being to answer for all those mischiefs of blood, rapine, and desolation, which the breaking to pieces of governments bring on a country. And he who does it, is justly to be esteemed the common enemy and pest of mankind, and is to be treated accordingly.

§ 231. That subjects or foreigners, attempting by force on the properties of any people, may be resisted with force, is agreed on all hands. But that magistrates, doing the same thing, may be resisted, hath of late been denied: as if those who had the greatest privileges and advantages by the law, had thereby a power

to break those laws, by which alone they were set in a better place than their brethren: whereas their offence is thereby the greater, both as being ungrateful for the greater share they have by the law, and breaking also that trust, which is put into their hands by their brethren.

§ 232. Whosoever uses force without right, as every one does in society, who does it without law, puts himself into a state of war with those against whom he so uses it; and in that state all former ties are cancelled, all other rights cease, and every one has a right to defend himself, and to resist the aggressor. This is so evident, that Barclay himself, that great assertor of the power and sacredness of kings, is forced to confess, that it is lawful for the people, in some cases, to resist their king; and that too in a chapter, wherein he pretends to show, that the divine law shuts up the people from all manner of rebellion. Whereby it is evident, even by his own doctrine, that, since they may in some cases resist, all resisting of princes is not rebellion. His words are these. "Quod siquis dicat, Ergone populus tyrannicæ crudelitati et furori jugulum semper præbebit? Ergone multitudo civitates suas fame, ferro, et flammâ vastari, seque, conjuges, et liberos fortunæ ludibrio et tyranni libidini exponi, inque omnia vitæ pericula omnesque miserias et molestias à rege deduci patientur? Num illis quod omni animantium generi est à naturâ tributum, denegari debet, ut sc. vim vi repellant, seseque ab injuria tueantur? Huic breviter responsum sit, Populo universo negari defensionem, quæ juris naturalis est, neque ultionem quæ præter naturam est adversus regem concedi debere. Quapropter si rex non in singulares tantum personas aliquot privatum odium exerceat, sed corpus etiam reipublicæ, cujus ipse caput est, *i. e.* totum populum, vel insignem aliquam ejus partem immani et intolerandâ sævitiâ seu tyrannide divexet; populo quidem hoc casu resistendi ac tuendi se ab injuriâ potestas competit; sed tuendi se tantum, non enim in principem invadendi: et restituendæ injuriæ illatæ, non recedendi à debitâ reverentiâ propter acceptam injuriam. Præsentem denique impetum propul-

sandi non vim præteritam ulciscendi jus habet. Horum enim alterum à naturâ est, ut vitam scilicet corpusque tueamur. Alterum vero contra naturam, ut inferior de superiori supplicium sumat. Quod itaque populus malum, antequam factum sit, impedire potest, ne fiat; id postquam factum est, in regem authorem sceleris vindicare non potest: populus igitur hoc ampliùs quam privatus quispiam habet: quod huic, vel ipsis adversariis judicibus, excepto Buchanano, nullum nisi in patientia remedium superest. Cùm ille si intolerabilis tyrannus est (modicum enim ferre omnino debet) resistere cum reverentiâ possit." Barclay contra Monarchom. l. iii. c. 8.

In English thus:

§ 233. "But if any one should ask, Must the people then always lay themselves open to the cruelty and rage of tyranny? Must they see their cities pillaged and laid in ashes, their wives and children exposed to the tyrant's lust and fury, and themselves and families reduced by their king to ruin, and all the miseries of want and oppression; and yet sit still? Must men alone be debarred the common privilege of opposing force with force, which nature allows so freely to all other creatures for their preservation from injury? I answer: Self-defence is a part of the law of nature; nor can it be denied the community, even against the king himself: but to revenge themselves upon him, must by no means be allowed them; it being not agreeable to that law. Wherefore if the king should show an hatred, not only to some particular persons, but sets himself against the body of the commonwealth, whereof he is the head, and shall, with intolerable ill usage, cruelly tyrannise over the whole, or a considerable part of the people, in this case the people have a right to resist and defend themselves from injury: but it must be with this caution, that they only defend themselves, but do not attack their prince: they may repair the damages received, but must not for any provocation exceed the

bounds of due reverence and respect. They may repulse the present attempt, but must not revenge past violences: for it is natural for us to defend life and limb; but that an inferior should punish a superior, is against nature. The mischief which is designed them the people may prevent before it be done: but when it is done, they must not revenge it on the king, though author of the villany. This therefore is the privilege of the people in general, above what any private person hath; that particular men are allowed by our adversaries themselves (Buchanan only excepted) to have no other remedy but patience; but the body of the people may with reverence resist intolerable tyranny; for, when it is but moderate, they ought to endure it."

§ 234. Thus far that great advocate of monarchical power allows of resistance.

§ 235. It is true, he has annexed two limitations to it, to no purpose:

First, He says, it must be with reverence.

Secondly, It must be without retribution, or punishment; and the reason he gives is, "Because an inferior cannot punish a superior."

First, How to resist force without striking again, or how to strike with reverence, will need some skill to make intelligible. He that shall oppose an assault only with a shield to receive the blows, or in any more respectful posture, without a sword in his hand, to abate the confidence and force of the assailant, will quickly be at an end of his resistance, and will find such a defence serve only to draw on himself the worse usage. This is as ridiculous a way of resisting, as Juvenal thought it of fighting; "ubi tu pulsas, ego vapulo tantum." And the success of the combat will be unavoidably the same he there describes it:

> ——"Libertas pauperis hæc est:
> Pulsatus rogat, et pugnis concisus, adorat,
> Ut liceat paucis cum dentibus inde reverti."

This will always be the event of such an imaginary re-

sistance, where men may not strike again. He therefore who may resist, must be allowed to strike. And then let our author, or any body else, join a knock on the head, or a cut on the face, with as much reverence and respect as he thinks fit. He that can reconcile blows and reverence, may, for aught I know, deserve for his pains a civil, respectful cudgelling, wherever he can meet with it.

Secondly, As to his second, "An inferior cannot punish a superior;" that is true, generally speaking, whilst he is his superior. But to resist force with force, being the state of war that levels the parties, cancels all former relation of reverence, respect, and superiority: and then the odds that remains, is, that he, who opposes the unjust aggressor, has this superiority over him, that he has a right, when he prevails, to punish the offender, both for the breach of the peace, and all the evils that followed upon it. Barclay therefore, in another place, more coherently to himself, denies it to be lawful to resist a king in any case. But he there assigns two cases, whereby a king may unking himself. His words are.

"Quid ergo, nulline casus incidere possunt quibus populo sese erigere atque in regem impotentius dominantem arma capere et invadere jure suo suâque authoritate liceat? Nulli certe quamdiu rex manet. Semper enim ex divinis id obstat, Regem honorificato; et qui potestati, resistit, Dei ordinationi resistit: non aliàs igitur in eum populo potestas est quam si id committat propter quod ipso jure rex esse desinat. Tunc enim se ipse principatu exuit atque in privatis constituit liber: hoc modo populus et superior efficitur, reverso ad eum sc. jure illo quod ante regem inauguratum in interregno habuit. At sunt paucorum generum commissa ejusmodi quæ hunc effectum pariunt. At ego cum plurima animo perlustrem, duo tantam invenio, duos, inquam, casus quibus rex ipso facto ex rege non regem se facit et omni honore et dignitate regali atque in subditos potestate destituit; quorum etiam meminit Winzerus. Horum unus est, Si regnum disperdat, quemadmo-

dum de Nerone fertur, quod is nempe senatum populumque Romanum, atque adeo urbem ipsam ferro flammaque vastare, ac novas sibi sedes quærere, decrevisset. Et de Caligula, quod palam denunciarit se neque civem neque principem senatui amplius fore, inque animo habuerit interempto utriusque ordinis electissimo quoque Alexandriam commigrare, ac ut populum uno ictu interimeret, unam ei cervicem optavit. Talia cum rex aliquis meditatur et molitur serio, omnem regnandi curam et animum ilico abjicit, ac proinde imperium in subditos amittit, ut dominus servi pro derelicto habiti dominium."

§ 236. "Alter casus est, Si rex in alicujus clientelam se contulit, ac regnum quod liberum à majoribus et populo traditum accepit, alienæ ditioni mancipavit. Nam tunc quamvis forte non eâ mente id agit populo plane ut incommodet: tamen quia quod præcipuum est regiæ dignitatis amisit, ut summus scilicet in regno secundum Deum sit, et solo Deo inferior, atque populum etiam totum ignorantem vel invitum, cujus libertatem sartam et tectam conservare debuit, in alterius gentis ditionem et potestatem dedidit; hâc velut quadam regni ab alienatione efficit, ut nec quod ipse in regno imperium habuit retineat, nec in eum cui collatum voluit, juris quicquam transferat; atque ita eo facto liberum jam et suæ potestatis populum relinquit, cujus rei exemplum unum annales Scotici suppeditant." Barclay contra Monarchom. l. iii. c. 16.

Which in English runs thus:

§ 237. "What then, can there no case happen wherein the people may of right, and by their own authority, help themselves, take arms, and set upon their king, imperiously domineering over them? None at all, whilst he remains a king. Honour the king, and he that resists the power, resists the ordinance of God, are divine oracles that will never permit it. The people therefore can never come by a power over him, unless he does something that makes him cease to be a king: for then he divests himself

of his crown and dignity, and returns to the state of a private man, and the people become free and superior, the power which they had in the interregnum, before they crowned him king, devolving to them again. But there are but few miscarriages which bring the matter to this state. After considering it well on all sides, I can find but two. Two cases there are, I say, whereby a king, *ipso facto*, becomes no king, and loses all power and regal authority over his people; which are also taken notice of by Winzerus.

"The first is, If he endeavour to overturn the government, that is, if he have a purpose and design to ruin the kingdom and commonwealth; as it is recorded of Nero, that he resolved to cut off the senate and people of Rome, lay the city waste with fire and sword, and then remove to some other place.—And of Caligula, that he openly declared, that he would be no longer a head to the people or senate, and that he had it in his thoughts to cut off the worthiest men of both ranks, and then retire to Alexandria; and he wished that the people had but one neck, that he might despatch them all at a blow.—Such designs as these, when any king harbours in his thoughts, and seriously promotes, he immediately gives up all care and thought of the commonwealth; and consequently forfeits the power of governing his subjects, as a master does the dominion over his slaves whom he hath abandoned."

§ 238. "The other case is, When a king makes himself the dependent of another, and subjects his kingdom which his ancestors left him, and the people put free into his hands, to the dominion of another: for however perhaps it may not be his intention to prejudice the people, yet because he has hereby lost the principal part of regal dignity, viz. to be next and immediately under God supreme in his kingdom; and also because he betrayed or forced his people, whose liberty he ought to have carefully preserved, into the power and dominion of a foreign nation. By this, as it were, alienation of his king-

dom he himself loses the power he had in it before, without transferring any the least right to those on whom he would have bestowed it; and so by this act sets the people free, and leaves them at their own disposal. One example of this is to be found in the Scottish Annals."

§ 239. In these cases Barclay, the great champion of absolute monarchy, is forced to allow that a king may be resisted, and ceases to be a king. That is, in short, not to multiply cases, in whatsoever he has no authority, there he is no king, and may be resisted: for wheresoever the authority ceases, the king ceases too, and becomes like other men who have no authority.— And these two cases he instances differ little from those above-mentioned to be destructive to governments, only that he has omitted the principle from which his doctrine flows; and that is, the breach of trust, in not preserving the form of government agreed on, and in not intending the end of government itself, which is the public good and preservation of property. When a king has dethroned himself, and put himself in a state of war with his people, what shall hinder them from prosecuting him who is no king, as they would any other man, who has put himself into a state of war with them; Barclay and those of his opinion would do well to tell us. This farther I desire may be taken notice of out of Barclay, that he says, "The mischief that is designed them, the people may prevent before it be done: whereby he allows resistance when tyranny is but in design. Such designs as these (says he) when any king harbours in his thoughts and seriously promotes, he immediately gives up all care and thought of the commonwealth;" so that, according to him, the neglect of the public good is to be taken as an evidence of such design, or at least for a sufficient cause of resistance. And the reason of all he gives in these words, "Because he betrayed or forced his people, whose liberty he ought carefully to have preserved." What he adds, "into the power and dominion of a foreign nation," signifies nothing, the fault and forfeiture lying in the loss of their liberty, which he ought

to have preserved, and not in any distinction of the persons to whose dominion they were subjected. The people's right is equally invaded, and their liberty lost, whether they are made slaves to any of their own, or a foreign nation; and in this lies the injury, and against this only have they the right of defence. And there are instances to be found in all countries, which show that it is not the change of nations in the persons of their governors, but the change of government, that gives the offence. Bilson, a bishop of our church, and a great stickler for the power and prerogative of princes, does, if I mistake not, in his treatise of Christian subjection, acknowledge that princes may forfeit their power, and their title to the obedience of their subjects; and if there needed authority in a case where reason is so plain, I could send my reader to Bracton, Fortescue, and the author of the Mirror, and others, writers that cannot be suspected to be ignorant of our government, or enemies to it. But I thought Hooker alone might be enough to satisfy those men, who relying on him for their ecclesiastical polity, are by a strange fate carried to deny those principles upon which he builds it. Whether they are herein made the tools of cunninger workmen, to pull down their own fabric, they were best look. This I am sure, their civil policy is so new, so dangerous, and so destructive to both rulers and people, that as former ages never could bear the broaching of it; so it may be hoped those to come, redeemed from the impositions of these Egyptian under-taskmasters, will abhor the memory of such servile flatterers, who, whilst it seemed to serve their turn, resolved all government into absolute tyranny, and would have all men born to, what their mean souls fitted them for, slavery.

§ 240. Here, it is like, the common question will be made, "Who shall be judge, whether the prince or legislative act contrary to their trust?" This, perhaps, ill-affected and factious men may spread amongst the people, when the prince only makes use of his due prerogative. To this I reply, "The people shall be judge;" for who shall be judge whether his trustee

or deputy acts well, and according to the trust reposed in him, but he who deputes him, and must, by having deputed him, have still a power to discard him, when he fails in his trust? If this be reasonable in particular cases of private men, why should it be otherwise in that of the greatest moment, where the welfare of millions is concerned, and also where the evil, if not prevented, is greater, and the redress very difficult, dear, and dangerous?

§ 241. But farther, this question, ("Who shall be judge?") cannot mean, that there is no judge at all: for where there is no judicature on earth, to decide controversies amongst men, God in heaven is judge. He alone, it is true, is judge of the right. But every man is judge for himself, as in all other cases, so in this, whether another hath put himself into a state of war with him, and whether he should appeal to the supreme Judge, as Jephthah did.

§ 242. If a controversy arise betwixt a prince and some of the people, in a matter where the law is silent or doubtful, and the thing be of great consequence, I should think the proper umpire, in such a case, should be the body of the people: for in cases where the prince hath a trust reposed in him, and is dispensed from the common ordinary rules of the law; there, if any men find themselves aggrieved, and think the prince acts contrary to, or beyond that trust, who so proper to judge as the body of the people, (who, at first, lodged that trust in him) how far they meant it should extend? But if the prince, or whoever they be in the administration, decline that way of determination, the appeal then lies nowhere but to Heaven; force between either persons, who have no known superior on earth, or which permits no appeal to a judge on earth, being properly a state of war, wherein the appeal lies only to Heaven; and in that state the injured party must judge for himself, when he will think fit to make use of that appeal, and put himself upon it.

§ 243. To conclude, The power that every individual gave the society, when he entered into it, can never revert to the individuals again, as long as the society

lasts, but will always remain in the community; because without this there can be no community, no commonwealth, which is contrary to the original agreement: so also when the society hath placed the legislative in any assembly of men, to continue in them and their successors, with direction and authority for providing such successors, the legislative can never revert to the people whilst that government lasts; because, having provided a legislative with power to continue for ever, they have given up their political power to the legislative, and cannot resume it. But if they have set limits to the duration of their legislative, and made this supreme power in any person, or assembly, only temporary; or else, when by the miscarriages of those in authority it is forfeited; upon the forfeiture, or at the determination of the time set, it reverts to the society, and the people have a right to act as supreme, and continue the legislative in themselves; or erect a new form, or under the old form place it in new hands, as they think good.

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